S. HRG. 100-699

MISCELLANEOUS NEW MEXICO PARK RELATED MEASURES

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS, NATIONAL PARKS AND FORESTS
OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

ON

S. 1593

TO DESIGNATE THE SITE OF THE GLORIETA BATTLE IN THE CIVIL WAR AS A NATIONAL HISTORIC SITE

S. 1693

TO AMEND THE NATIONAL TRAILS SYSTEM ACT TO PROVIDE FOR A STUDY OF THE CORONADO TRAIL, AND FOR OTHER PURPOSES

S. 1912

TO AUTHORIZE A STUDY OF THE FEASIBILITY OF ESTABLISHING A NATIONAL MIMBRES MUSEUM IN SILVER CITY, NEW MEXICO, AND FOR OTHER PURPOSES

S. 2157

TO AUTHORIZE THREE FEASIBILITY STUDIES TO BE CONDUCTED IN NEW MEXICO DEALING WITH THE SAN GABRIEL HISTORIC LANDMARK, THE SIGNIFICANCE OF THE LOS LUCEROS HACIENDA, AND THE ESTABLISHMENT OF AN INTERPRETIVE CENTER TO HIGHLIGHT THE FIRST COLONIZATION OF THE INTERIOR OF THE UNITED STATES IN NEW MEXICO

S. 2162

TO PROVIDE FOR THE ESTABLISHMENT OF THE ZUNI-CIBOLA NATIONAL HISTORICAL PARK IN THE STATE OF NEW MEXICO, AND FOR OTHER PURPOSES

MARCH 24, 1988

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MISCELLANEOUS NEW MEXICO PARK RELATED MEASURES

THURSDAY, MARCH 24, 1988

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS,
NATIONAL PARKS AND FORESTS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 1:05 p.m., in room SD-366, Dirksen Senate Office Building, Hon. Jeff Bingaman, presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

Senator BINGAMAN. Why don't we go ahead and get started here. The hearing will come to order.

This is a hearing of the Public Lands, National Parks and Forests Subcommittee of the Senate Energy and Natural Resources Committee. And the purpose of the hearing today is to receive testimony on five pieces of legislation that we have pending here in the committee: S. 1593 to designate a site of the Glorieta Battle in the Civil War as a national historic site; the second, S. 1693, to amend the National Trails System Act to provide for a study of the Coronado Trail; third, S. 1912, which is the National Mimbres Cultural Act; fourth, S. 2157, the Spanish Colonization Commemorative Act; and finally, S. 2162, the Zuni-Cibola National Historic Park Act.

The portion of the hearing pertaining to S. 2162 is a joint hearing of the Senate Energy and Natural Resources Committee and the Select Committee on Indian Affairs. I understand Senator Tom Daschle, who is on the Select Committee on Indian Affairs, will be here later to participate with regard to that legislation. And we appreciate the willingness of Senator Inouye, who is Chairman of that select committee, to hold this joint hearing. Of course, I want to thank Senator Bumpers, who is the Chairman of this subcommittee, for allowing us to go forward with this hearing today.

The five bills that we consider all involve the protection of our historical legacy and culture in New Mexico. The legislation represents an effort to preserve the important events and sites of our past so that present and future generations have the opportunity to appreciate and understand our unique history and culture.

I am very pleased that Senator Domenici has joined me in co-sponsoring many of these bills. And he is here today to participate in the hearing.

Before we proceed to the witnesses, let me just mention a couple of administrative matters. And, of course, Senator Domenici will have an opportunity to make any statements that he would like.

We have 10 witnesses this afternoon. I need to ask each to limit their remarks to three to five minutes in order that we have time for questions, if we could ask them to do that, and essentially to summarize their statements.

We have several panels, and several other organizations and individuals have asked to submit testimony for the record. And in order to accommodate them, we are going to leave record open until April 8th for any additional statements or comments.

[The texts of S. 1593, S. 1693, S. 1912, S. 2157, and S. 2162 follow:]

II

100TH CONGRESS
1ST SESSION

S. 1593

To designate the site of the Glorieta Battle in the Civil War as a national historic site.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1987

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To designate the site of the Glorieta Battle in the Civil War as a national historic site.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESTABLISHMENT OF HISTORIC SITE.

In order to preserve and commemorate for the benefit and enjoyment of present and future generations an area of unique historic significance associated with the Civil War, the site of the Glorieta Battle is hereby established as a national historic site (hereinafter in this Act referred to as the "historic site"). The historic site shall consist of lands, waters, and interests therein located in Sante Fe County,

New Mexico, as generally depicted on the map entitled "Boundary Map, Glorieta National Historic Site," numbered and dated . The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 2. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the historic site as part of the Pecos National Monument. The historic site shall be administered in accordance with this Act and with the provisions of law generally applicable to units of the national park system, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

(b) COOPERATIVE AGREEMENTS WITH STATE.—In administering the historic site, the Secretary is authorized to enter into cooperative agreements with the State of New Mexico, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventative agencies.

SEC. 3. ACQUISITION OF LAND.

The Secretary may acquire land or interests in land within the boundaries of the historic site by donation, purchase with donated or appropriated funds, or exchange.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

II

100TH CONGRESS
1ST SESSION

S. 1693

To amend the National Trails System act to provide for a study of the Coronado Trail, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 1987

Mr. BINGAMAN (for himself, Mr. BOREN, Mr. BENTSEN, Mr. NICKLES, Mr. MCCAIN, Mrs. KASSEBAUM, and Mr. MELCHER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To amend the National Trails System act to provide for a study of the Coronado Trail, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Coronado National Trail Study Act of 1987".

SEC. 2. FINDINGS.

The Congress finds that—

(1) Francisco Vasquez de Coronado led an expedition from Compostela on the Southwest Coast of

Mexico, into the American Southwest in search of the legendary Seven Cities of Cibola between 1540 and 1542;

(2) Coronado's expedition of approximately 300 Spanish soldiers and 1,000 Indian allies and servants marched through the State of Arizona, then through the States of New Mexico, Texas, Oklahoma, and Kansas;

(3) Coronado and his troops found Pueblo Indian settlements, including the Zuni villages of western New Mexico, Acoma along the Rio Grande River, as far north as Taos, and east to Pecos, as well as those of the Hopi in Arizona and Plains groups in Texas, Oklahoma, and Kansas; and

(4) members of the Coronado expedition became the first Europeans to see the Grand Canyon in Arizona, the Palo Duro Canyon in Texas, and many other Southwestern landmarks.

SEC. 3. DESIGNATION OF TRAIL.

Section 5(c) of the National Trails System Act (82 Stat. 919; 16 U.S.C. 1244(c)) is amended by adding at the end thereof the following new paragraph:

"(31) Coronado Trail, the approximate route taken by the expedition of the Spanish explorer Francisco Vasquez de Coronado between 1540 and 1542, extending through por-

tions of the States of Arizona, New Mexico, Texas, Oklahoma, and Kansas. The study under this paragraph shall be prepared in accordance with subsection (b) of this section, except that it shall be completed and submitted to the Congress with recommendations as to its suitability for designation not later than one calendar year from the date of enactment of this paragraph. In conducting the study under this paragraph, the Secretary shall provide for (A) the review of all original Spanish documentation on the Coronado Trail, (B) the continuing search for new primary documentation on the trail, and (C) the examination of all information on the archeological sites along the trail.".

II

100TH CONGRESS
1ST SESSION

S. 1912

To authorize a study of the feasibility of establishing a National Mimbres Museum in Silver City, New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 1987

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To authorize a study of the feasibility of establishing a National Mimbres Museum in Silver City, New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Mimbres Cultural Act of 1987".

SEC. 2. AUTHORIZATION OF FEASIBILITY STUDY FOR A NATIONAL MIMBRES MUSEUM.

(a) AUTHORIZATION OF STUDY.—The Secretary of the Interior is authorized, through the National Park Service, to conduct a study of the feasibility of establishing a museum in

Silver City, New Mexico, which would commemorate the Mimbres Indian culture. The museum would be owned by the United States and managed on a cooperative basis with State and local authorities.

(b) PURPOSES OF MUSEUM.—The purposes of the museum would be to serve as—

(1) a repository and exhibition museum for Mimbres pottery and artifacts;

(2) an interpretive center for Mimbres culture; and

(3) a visitor's information center for the Gila Cliff Dwellings and Masau Trail.

(c) LOCATING A SITE FOR THE MUSEUM.—The study authorized by this section shall include—

(1) a review of potential sites for the museum with an identification of appropriate existing structures focusing on—

(A) location;

(B) parking;

(C) condition of the building;

(D) renovative costs;

(E) suitability for exhibits; and

(F) other appropriate features; and

(2) a review of the integrity of the potential sites, their distance from Silver City, the relationship of the sites to each other, the history and significance of each

site, their availability for purchase or donation, and whether or not the site has research value.

(d) REPORT TO CONGRESS.—The Secretary shall report the results and conclusions of the study conducted pursuant to subsection (a) no later than one year after the date of enactment of this Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

SEC. 3. COMMEMORATING EXISTING MIMBRES SITES.

(a) STUDY.—The Secretary of the Interior, acting through the National Park Service, shall conduct a study of the many excavated and unexcavated Mimbres sites in the Silver City, New Mexico, vicinity in order to determine whether such sites are suitable for designation as a National Monument, National Landmark, or National Historic Site for the purpose of commemorating the Mimbres culture.

(b) REPORT TO CONGRESS.—The Secretary shall report the results and conclusions of the study conducted pursuant to subsection (a) no later than 1 year after the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

SEC. 4. STUDY OF MIMBRES CULTURE.

(a) STUDY.—The Secretary of the Interior, acting through the National Park Service, shall conduct a study of the Mimbres culture and the significance of that culture to the southwestern part of the State and its link to other prehistoric cultures such as the Gila and Casas Grandes Indians. The purpose of the study shall be to provide appropriate recognition and commemoration of the Mimbres culture.

(b) REPORT TO CONGRESS.—The Secretary shall report the results and conclusions of the study conducted pursuant to subsection (a) no later than 1 year after the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

II

100TH CONGRESS
2D SESSION

S. 2157

To authorize three feasibility studies to be conducted in New Mexico dealing with the San Gabriel Historic Landmark, the significance of the Los Luceros Hacienda, and the establishment of an interpretive center to highlight the first colonization of the interior of the United States in New Mexico.

IN THE SENATE OF THE UNITED STATES

MARCH 4 (legislative day, MARCH 2), 1988

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To authorize three feasibility studies to be conducted in New Mexico dealing with the San Gabriel Historic Landmark, the significance of the Los Luceros Hacienda, and the establishment of an interpretive center to highlight the first colonization of the interior of the United States in New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Spanish Colonization Commerative Act of 1988".

SEC. 2. SAN GABRIEL

(a) AUTHORIZATION OF STUDY.—The Secretary of the Interior, acting through the National Park Service, is authorized to conduct a feasibility study for the purpose of determining whether the San Gabriel National Historic Landmark should be designated as a National Historic Site.

(b) COOPERATION WITH SAN JUAN PUEBLO.—In conducting the study authorized by subsection (a), the Secretary shall cooperate and coordinate with the San Juan Pueblo.

(c) REPORT.—The Secretary shall report the results and conclusions of the study conducted pursuant to subsection (a) no later than 1 year after the date of enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

SEC. 3. LOS LUCEROS HACIENDA.

(a) AUTHORIZATION OF STUDY.—The Secretary of the Interior, with the assistance of the Spanish Colonial Research Center, shall conduct a study to determine the historical significance of the Los Luceros Hacienda in northern New Mexico.

(b) FOCUS OF STUDY.—The study authorized by subsection (a) shall focus on the following issues—

(1) the relationship between the Los Luceros Hacienda and the original 15 haciendas established by

Juan De Onate as part of the first settlement in the colonization of the United States;

(2) the significance of the Onate led colonization to United States history; and

(3) the role of the Pueblo Indian during this colonization period.

(c) REPORT.—The Secretary shall report the results and conclusions of the study conducted pursuant to subsection (a) no later than 1 year after the date of enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

SEC. 4. FIRST COLONIZATION INTERPRETIVE CENTER.

(a) AUTHORIZATION OF STUDY.—The Secretary of the Interior is authorized to conduct a study of the feasibility of establishing an interpretive center in New Mexico which would serve as a focus for the history of the first colonization of the interior of what is now the United States.

(b) LOCATION AND MANAGEMENT.—The interpretive center should be located on a national historic site, landmark area, or other appropriate location and be managed by the National Park Service in cooperation with State, county, and municipal officials, local and State historical associations, and the Indian community.

(c) REPORT.—The Secretary shall report the results and conclusions of the study conducted pursuant to subsection (a) no later than 1 year after the date of enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

II

100TH CONGRESS
2D SESSION

S. 2162

To provide for the establishment of the Zuni-Cibola National Historical Park in the State of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 15 (legislative day, MARCH 14), 1988

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Select Committee on Indian Affairs

---

A BILL

To provide for the establishment of the Zuni-Cibola National Historical Park in the State of New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act shall be known as the "Zuni-Cibola National Historical Park Establishment Act of 1988".

SEC. 2. (a) In order to preserve and protect for the benefit of present and future generations certain nationally significant historical, archeological, cultural, and natural sites and resources associated with the Pueblo of Zuni, and in order to assist members of the Pueblo of Zuni in preserving

and interpreting their tribal culture, there is hereby established the Zuni-Cibola National Historical Park (hereinafter referred to as "park"). The park shall consist of those lands generally depicted on the map entitled "Boundary Map—Zuni-Cibola National Historical Park" numbered and dated . The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and in the office of the Governor of the Pueblo of Zuni, Zuni, New Mexico.

(b) The Secretary may make minor revisions in the boundary of the park established under this section after consulting with the Commission established pursuant to section 6 of this Act by publication of a revised drawing or other boundary description in the Federal Register. A boundary revision made under this subsection shall be effective only after timely notice in writing is given to the appropriate committees of the Congress.

ACQUISITION

SEC. 3. The Secretary is authorized to acquire through donation a leasehold interest in not to exceed acres of land within the boundaries of the park referred to in section 2 of this Act.

MANAGEMENT

SEC. 4. (a) The Secretary, acting through the Director of the National Park Service, and in consultation with the

Commission established pursuant to section 6 of this Act, shall manage the park as a unit of the National Park System in accordance with the provisions of this Act, and the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461), as amended. The Secretary shall protect, manage, and administer the park for the purposes of preserving the nationally significant historical, archeological, natural, and cultural sites of the park and providing for the public understanding and enjoyment of the same in such a manner as to perpetuate these qualities for future generations.

(b) The Secretary is authorized to accept concurrent jurisdiction from the Pueblo of Zuni for the purpose of law enforcement.

(c) The Secretary, acting through the Director of the National Park Service, shall consult from time to time with the Commission established pursuant to section 6 of this Act.

FEDERAL CONSISTENCY

SEC. 5. (a) The head of any Federal agency conducting or supporting activities directly affecting the park shall—

(1) consult with, cooperate with, and to the maximum extent practicable, coordinate its activities with the Secretary and with the Commission established pursuant to section 6 of this Act; and

(2) conduct or support such activities in a manner which (A) to the maximum extent practicable is consistent with the standards and criteria established pursuant to the plan required in section 7 of this Act, and (B) will not have an adverse effect on the resources of the park.

(b) No Federal agency may issue any license or permit to any person to conduct any activity within the park unless such agency determines that the proposed activity will be conducted in a manner consistent with the standards and criteria established pursuant to the plan required in section 7 of this Act and will not have an adverse effect on the resources of the park.

(c) The provisions of this section shall apply only with respect to activities begun and licenses or permits issued after the effective date of this Act.

ESTABLISHMENT OF ZUNI-CIBOLA ADVISORY COMMISSION

SEC. 6. (a) There is established within the Department of the Interior a commission to be known as the Zuni-Cibola National Historical Park Advisory Commission (hereinafter referred to as "Commission") which shall consult with the Director of the National Park Service in the planning, management, and administration of the park as provided in this Act. The Commission shall consist of the Governor of the Pueblo of Zuni, the Director of the National Park Service, the Secretary of the Smithsonian (or their designees), and

four members appointed by the Secretary from recommendations made by the Governor of the Pueblo of Zuni.

(b) The initial terms of members of the Commission appointed pursuant to paragraphs (1) and (2) of subsection (a) shall be staggered, as determined by the Secretary, in order to assure continuity in the administration of the Commission. Thereafter the term shall be six years. Any member of the Commission appointed for a definite term may serve after the expiration of his term until his successor is appointed. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) Members of the Commission appointed pursuant to paragraphs (1) and (2) shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission so appointed shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(d) The Governor of the Pueblo of the Zuni shall be the Chair of the Commission. Other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(e) The Commission shall meet at the call of the Chair or a majority of its members. Consistent with the public meeting requirements of the Federal Advisory Committee Act, the Commission shall from time to time meet with persons concerned with issues relating to the Pueblo of Zuni.

(f) The provisions of the Federal Advisory Committee Act, as amended, shall not apply to the Commission established by this section.

PARK PLAN

SEC. 7. Within three full fiscal years following the fiscal year of enactment of this Act, the Secretary, through the Director of the National Park Service, in consultation with the Commission, shall develop and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a general management plan for the park which shall describe the appropriate uses and development of the park consistent with the purposes of this Act. The plan shall include but not be limited to:

(1) implementation plan for a continuing program of interpretation and public education about the resources and values of the park;

(2) proposals for public facilities to be developed for the park;

(3) natural and cultural resources management plans for the park, with particular emphasis on the

preservation and long-term scientific use of archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 and the National Historic Preservation Act, as amended, within the park. The natural and cultural resources management plans shall be prepared in close consultation with the New Mexico State Historic Preservation Office and the tribe of the Pueblo of Zuni and their traditional cultural and religious authorities; and such plan shall provide for long-term scientific use or archeological resources in the park;

(4) proposals for training members of the Pueblo of Zuni in such fields as interpretation, management, and artifact curation; and

(5) a proposed plan to implement the American Indian Religious Freedom Act of August 11, 1978 (42 U.S.C. 1996).

ADDITION TO MASAU TRAIL

SEC. 8. The first sentence of section 202 of the Act of December 31, 1987 (101 Stat. 1540; Public Law 100–225), is hereby amended by deleting "and Gila Cliff Dwellings National Monument." and inserting "Gila Cliff Dwellings National Monument, and Zuni-Cibola National Historical Park.".

AUTHORIZATION OF APPROPRIATIONS

SEC. 9. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act.

Senator BINGAMAN. Senator Domenici, go ahead with any statement that you would like to make before we call witnesses.

STATEMENT OF HON. PETE V. DOMENICI, U.S. SENATOR FROM NEW MEXICO

Senator DOMENICI. I'll be very brief.

First, Mr. Chairman, I would like to ask if I could be added as a cosponsor of 1693, the Coronado Trail bill. We can do that here, but I will prepare a cosponsorship statement, if you would put it in the record.

Senator BINGAMAN. We would be glad to do that.

Senator DOMENICI. Rather than talk about each bill, let me just generally say that I personally am very pleased, although we are running short of money with reference to these kinds of activities, that the Park Service is involved. I think they are a very expert organization not only here, but worldwide. And to the extent that we can involve them in feasibility studies and establishment of significant historic sites in New Mexico, we ought to do that.

I am not joining in the cosponsorship, Mr. Chairman, on the Glorieta Battlefield bill, but I just want to quickly state for the record why. There isn't any question that this is properly called the Gettysburg of West, but I do believe we need to focus some attention on the very serious property rights problems there and whether or not we can put together a feasible site with as many individual tracts as are available at this site of the Gettysburg of the West.

So, I hope today from my standpoint and with your indulgence that we will get a few more facts about it because I think we need them. As to the others, I note the administration is not supportive of all of them. As a matter of fact, I think probably wholeheartedly they are supportive of only one. I hope we can try to accommodate some of their concerns. Where we can't I hope together we can convince them that these measures are entitled even if we have to modify them somewhat to their support. And I will do my very best to see if we can get that to happen, Mr. Chairman.

Thank you very much. I am ready to proceed.

Senator BINGAMAN. Thank you very much.

Let me just mention at the start we have six witnesses here from New Mexico, and we want to particularly welcome them to Washington and to this hearing. And we also, of course, welcome the other witnesses.

The first panel is representatives from the executive branch, Jerry Rogers, who is the Associate Director of Cultural Resources for the National Park Service, accompanied by Dr. Edward Bearss, the Chief Historian for the National Park Service, and Mr. Douglas Faris, who is the Chief of Planning and Design for the Southwest Region of the National Park Service. If you folks would come up and take a chair.

Let me mention that Robert McC. Adams who is the Secretary for the Smithsonian Institution has also agreed to testify. I don't believe he is here yet. He will be here about 2, and we will have to work him in in one of the later panels. But he did express an interest in testifying on some of the legislation being considered today.

I want to echo Senator Domenici's compliments to the Park Service. I have found in the time I have been in the Senate that the Park Service is very willing to help on proposals such as these, very anxious to do the right thing and provides a very high degree of expertise that obviously we need before we can go forward in these matters. So, we appreciate your help on these bills, and we appreciate your presence as a witness. Go right ahead, Mr. Rogers.

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY DR. EDWARD BEARSS, CHIEF HISTORIAN, NATIONAL PARK SERVICE, AND DOUGLAS FARIS, CHIEF OF PLANNING AND DESIGN, SOUTHWEST REGION, NATIONAL PARK SERVICE

Mr. ROGERS. Mr. Chairman, Senator Domenici, we are very grateful for those kind remarks about the National Park Service, and speaking as one who studied Spanish colonial history many, many years ago, and before the other members come in—hopefully they don't read the record too carefully—I would like to state that New Mexico is certainly one of the most historically, as well as scenically and culturally, exciting states in the United States. It's a wonderful place, and I am sure you are duly proud to represent it.

How would you like for us to proceed? I can summarize quickly all five of the bills in terms of our positions, or would you like to go one by one?

Senator BINGAMAN. Why don't you just summarize it however you would like. I have several questions here that we would like to get your response to, and I'm sure Senator Domenici will have some as well.

Mr. ROGERS. Thank you, sir. Then I will just quickly touch upon each one.

With regard to S. 1693, to provide for a study of the Coronado Trail, the administration recommends enactment of that bill if it is amended in modest ways to extend the study period from one to three years and to eliminate some specific requirements regarding which kinds of information need to be reviewed during the study. We would anticipate conducting that work with existing staff and using our currently budgeted funds.

We would not intend to request additional funds. We would recommend, however, that the Senate delete the requirements that require review of all original documentation and continuing search for new primary documentations and that also would require examination of all archaeological sites related to the bill. We don't believe that those requirements are necessary, and they could become a problem.

With regard to S. 2157, to authorize feasibility studies at the national historic landmark at San Gabriel, Los Luceros Hacienda, and an interpretive center to highlight the first colonization of the interior of the United States, we recommend against enactment. The cost of these three studies we would anticipate to be between $150,000 and $200,000.

Senator BINGAMAN. Let me just ask if you would pull one of those microphones up a little closer. I think the folks toward the back are having trouble hearing.

Mr. ROGERS. We would anticipate the cost of those studies would be in the range of $150,000 to $200,000 and would take between two and three complete years to finish. We do not have funds budgeted to do those studies, and we would not expect to request such funds.

With regard to S. 1912, a bill to authorize a feasibility study for a national Mimbres museum, we recommend against enactment of S. 1912. The National Park Service, as you know, focuses very heavily in its tradition and in its authorizing statutes upon commemorating history and prehistory through actual, physical remains of settlements, not upon collections of objects. The effect of the enactment of S. 1912 would be to encourage the recognition of important artifacts themselves as a primary purpose for National Park Service involvement. It would, in essence, cause us to step over the line from parks and historic sites into museums, and that is a very fine line, but one we do not believe that would in the interest of the National Park Service to cross. We would like to remain an agency that preserves and interprets places, structures and sites.

We recommend against enactment of S. 1593, the Glorieta Battlefield. It is our estimate that it would require about 752 and a fraction acres to have a sufficiently viable administrative unit that would contain all of the resources there. It would probably cost about $2.1 million to develop. It would probably cost somewhere in the neighborhood of $5.7 million to acquire the 33 pieces of private property in that tract and cost approximately $250,000 per annum to administer. We think this an important and worthy site, but it simply is a matter of balancing priorities against the need to restrain the Federal budget.

Concerning S. 2162, the Zuni-Cibola bill, we recommend that no action be taken at this time until the administration has had a sufficient opportunity to evaluate the legislation. Now, we know, of course, the National Park Service is intimately familiar with the properties we are talking about at Zuni-Cibola, but the bill was, after all, introduced only 10 days ago, and there has simply not been sufficient opportunity within the administration to consider all appropriate management alternatives to update and review cost estimates and to consult with other agencies such as the Bureau of Indian Affairs.

[The prepared statements of Mr. Rogers follow:]

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ON S. 1693, TO PROVIDE FOR A STUDY OF THE CORONADO TRAIL.

MARCH 24, 1988

Mr. Chairman, we appreciate the opportunity to provide your subcommittee with the views of the Department of the Interior on this legislation.

We recommend the enactment of S. 1693 if it is amended to extend the study period from 1 year to 3 years and eliminate requirements to review specific information during the study.

S. 1693 would amend the National Trails System Act to designate the Coronado Trail for study as a potential component of the National Trails System.

The route to be studied is that taken by the Spanish explorer Francisco Vasquez de Coronado between 1540 and 1542. The route extends through portions of five states: Arizona, New Mexico, Texas, Oklahoma, and Kansas.

The bill requires submission of the study and recommendations to Congress within 1 calendar year of enactment, instead of within 3 complete fiscal years. The bill also specifically requires the Secretary, in conducting the study, to provide for the review of all original Spanish documentation, the continuing search for new primary documentation, and the examination of all information on archeological sites along the trail.

We believe it is appropriate to study the route that Coronado followed during his expedition in 1540-42. The expedition is especially significant because of its association with the discovery of the new world by Columbus; the 500th anniversary of that event will occur in 1992. The expeditions of Coronado in 1540-42 and de Soto in 1539-43 followed the historical discovery

by Columbus on behalf of Spain, and are important in understanding early Spanish development in America. We note that the trail would possibly cross four national forests, and we are in agreement with the Forest Service that the study would be a cooperative effort where the trail would cross national forest lands.

Congress recently designated the de Soto Trail for study in Public Law 100-187. It too would require completion of the study and transmittal of recommendations to Congress within 1 year--by December 11, 1988. We will not be able to meet that deadline.

As we testified on the de Soto legislation, we strongly recommend that the Committee follow the National Trails System Act and allow 3 complete fiscal years for the study.

The study, if authorized, would cost approximately $250,000. We would expect to conduct the work using existing staff and currently budgeted funds. We do not intend to request additional funds to conduct the study.

Finally, Mr. Chairman, we recommend that the requirements for review of original documentation, continuing search for new primary documentation, and examination of all archeological sites be deleted from the bill. These are more appropriate as elements of a management plan for the trail which the Trails Act requires be prepared after a trail is designated as part of the National Trails System. These requirements are not needed to determine suitability and feasibility for possible designation.

Attached to my statement are the amendments to effect our recommendation.

This concludes my prepared remarks, Mr. Chairman. I would be pleased to respond to any questions you may have.

86-515 0 - 88 - 2

DEPARTMENT OF THE INTERIOR AMENDMENTS TO S. 1693

1. On page 2, line 23, change "(31)" to "(32)".

This is a technical amendment. Public Law 100-187, approved December 11, 1987, designated the de Soto Trail as paragraph (31) in the list of trails to be studied set forth in section 5(c) of the National Trails System Act.

2. On page 3, line 3, change the comma to a period and strike the remainder of the sentence through the period in line 7.

This amendment strikes the requirement for a 1-year study, which is inconsistent with section 5(b) of the National Trails System Act. Adoption of this amendment would reinstate the Trails Act requirement that the study be completed within 3 complete fiscal years.

3. On page 3, beginning in line 7, strike the sentence ending with the period in line 12.

This amendment strikes specific requirements for the conduct of the study which are unnecessary to make a decision to designate the trail as a component of the National Trails System. Such requirements were not included, for example, in the legislation designating the de Soto Trail for study.

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS & FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 2157, A BILL TO AUTHORIZE THREE FEASIBILITY STUDIES TO BE CONDUCTED IN NEW MEXICO DEALING WITH THE SAN GABRIEL HISTORIC LANDMARK, THE SIGNIFICANCE OF THE LOS LUCEROS HACIENDA, AND THE ESTABLISHMENT OF AN INTERPRETIVE CENTER TO HIGHLIGHT THE FIRST COLONIZATION OF THE INTERIOR OF THE UNITED STATES IN NEW MEXICO.

MARCH 24, 1988

Mr. Chairman and Members of the Committee, it is a pleasure to appear before you today to discuss S. 2157, a bill to authorize three feasibility studies to be conducted in New Mexico dealing with the San Gabriel Historic Landmark, the significance of the Los Luceros Hacienda, and the establishment of an interpretive center to highlight the first colonization of the interior of the United States in New Mexico.

We recommend against enactment of S. 2157.

S. 2157 would authorize three studies concerning the Spanish Colonization of the United States: One that explores the feasibility of designating the San Gabriel National Historic Landmark as a National Historic Site; one that evaluates the significance of the Los Luceros Hacienda in northern New Mexico; and one that determines the feasibility of establishing an interpretive center in New Mexico with an emphasis on the history of the first colonization of the interior of the United States. The bill would require that the reports of the studies be submitted within one year of the date of enactment.

Mr. Chairman, the cost of the three studies outlined in S. 2157 would be approximately $150,000 to $200,000 and would take between two and three complete fiscal years to finish. We have no funds budgeted to do these studies and do not plan to request any because our priorities for funds are in operating existing units.

That concludes my prepared statement, Mr. Chairman. I would be happy to respond to any questions that you or other Members of the Committee may have.

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS & FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 1912, A BILL TO AUTHORIZE A STUDY OF THE FEASIBILITY OF ESTABLISHING A NATIONAL MIMBRES MUSEUM IN SILVER CITY, NEW MEXICO, AND FOR OTHER PURPOSES.

MARCH 24, 1988

Mr. Chairman and Members of the Committee, it is a pleasure to appear before you today to discuss S. 1912, a bill to authorize a study of the feasibility of establishing a national Mimbres Museum in Silver City, New Mexico, and for other purposes.

We recommend against enactment of S. 1912.

S. 1912 would authorize three studies concerning the Mimbres culture: One that explores the feasibility of establishing a museum in Silver City, New Mexico, commemorating the Mimbres culture; one that evaluates the many excavated and unexcavated Mimbres sites in the Silver City vicinity; and one that determines the significance of the Mimbres culture as it relates to other prehistoric cultures such as the Gila and the Casas Grandes Indians. The bill requires that reports of the studies be submitted within one year of the date of enactment.

The Mimbres people were a relatively small group of people who inhabited a few valleys in southwest New Mexico from approximately 200 to 1200 A.D. They lived primarily by farming the well watered lands near rivers and streams and by hunting and gathering wild plant materials. The Mimbres would have remained rather obscure had it not been for one major achievement -- the development of a distinctive style of black and white painted pottery that has earned both national and international acclaim.

Most National Park Service areas focusing on prehistory has as their primary resource the remains of settlements. The most spectacular of them are at Chaco Culture National Historical Park and Mesa Verde National Park, but lesser sites that combine both

architectural excellence and scenic grandeur exist at places such as Aztec Ruins National Monument and Tonto National Monument. The portable remains, including the pottery, are given full protection as cultural resources, but are secondary in the interpretive program and overall operation of the park. Some artifacts are usually exhibited in a visitor center-museum while the rest are preserved for future research or as a bank of objects which can be drawn on for revised or expanded interpretive use. The effect of the enactment of S. 1912 would be to encourage recognition of important artifacts as a primary purpose for National Park Service involvement.

Mr. Chairman, if enacted, we estimate that the cost of the three studies outlined in S. 1912 would be approximately $150,000-$200,000 and would take between two and three complete fiscal years to finish. We have no funds budgeted to do these studies and, therefore, we recommend that it would be more appropriate for a university or similar entity to conduct them. We would note that Western New Mexico University already has some museum facilities in the area.

That concludes my prepared statement, Mr. Chairman. I would be happy to respond to any questions that you or other members of the Committee may have.

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS & FORESTS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 1593, A BILL TO DESIGNATE THE SITE OF THE GLORIETA BATTLE IN THE CIVIL WAR AS A NATIONAL HISTORIC SITE.

MARCH 24, 1988

Mr. Chairman and Members of the Committee, it is a pleasure to appear today to discuss S. 1593, a bill to designate the site of the Glorieta Battle in the Civil War as a national historic site.

We recommend against the enactment of S. 1593.

S. 1593 would establish the site of the Civil War battle of Glorieta Pass as a national historic site consisting of approximately 752.8 acres in Santa Fe County, New Mexico. The site is to be administered as a part of Pecos National Monument; and authority is provided to the Secretary to accept donations, acquire land, and enter into cooperative agreements for rescue, firefighting, and law enforcement on a reimbursable basis.

The area has been included in the National Register of Historic Places as a landmark in November 1961, and the boundary was certified on August 4, 1978. According to the nomination form, the Glorieta Pass Battlefield consists of two parcels of land, one which extends down the Pass from Deek Creek past Canoncito, and the other which centers around Pigeon's Ranch.

The Battle of Glorieta Pass, March 26-28, 1862, ended the Confederate invasion of New Mexico, the first step in a grand design for detaching the west from the Union and extending the Confederation to the Pacific.

In February 1862, Confederate General Henry H. Sibley began an invasion up the Rio Grande Valley with a brigade of 2,500 Texans. After defeating Federal forces at the Battle of Valverde on February 21, Sibley drove on to Albuquerque and Santa Fe, with

little resistance, with Fort Union and then Denver as his next objectives. Reinforced by the regiment of Colorado volunteers, 1,300 Federal troops under Colonel John J. Slough set out to meet the advancing Confederates. The armies met in Glorieta Pass in the Sangre de Cristo Mountains, and the battle began on the 26th near Deer Creek when advance parties clashed. The full complement of troops arrived on the 27th, and on the 28th the fighting resumed near Pigeon's Ranch and raged all day while a body of Federal soldiers under Major John Chivington made its way through the mountains in an attempt to strike at the Confederate base camp at the western end of the Pass. Chivington succeeded in destroying the Confederate wagon train and supplies, thus forcing the Confederate forces to withdraw from enemy territory and to abandon their campaign in the southwest.

Mr. Chairman, we have prepared a detailed review of this proposal. The boundary we assumed during the course of this study consists of approximately 752.8 acres, the acreage we believe to represent that area required for an administrable unit containing all significant resources. We reviewed the area's integrity, land ownership, potential operation and development costs, as well as management options.

Mr. Chairman, we do not question the significance of the battle as it relates to the history of this Nation. However, we must consider other issues such as integrity and cost.

The integrity of the two primary battlefield sites has not been greatly impacted; however, roads, a railroad, and several residences have been constructed since the time of the battle. The natural setting remains and the opportunity exists for comprehensive interpretation if improvements such as houses, barns, and corrals are removed and Highway 50 relocated to improve visitor use opportunities.

Several management options are possible. The first option we considered was protection through cooperation of private landowners. This option could provide for the continuation of existing land uses by current or future landowners. Under this approach landowners might choose to protect their land themselves or donate fee interest or easement interests to the State or to a private land trust. Future land uses, visitor opportunities, and resource impacts would depend on the nature of the interest donated and State and local willingness to voluntarily take on stewardship responsibilities.

Under an option of "state protection," the sites could be protected by the State as a state monument, state historic park, or possibly as a state park. Currently, the State has a "historic resource easement" on 3 acres including the ruins of the Pigeon's Ranch complex. This concept could be expanded to include additional acreage.

Any cultural property situated on lands owned or controlled by the State may, upon recommendation of the Cultural Properties Review Committee, be declared a state monument by the Governor. Such sites are usually administered by the Museum of New Mexico. A limited level of facility development would be provided to meet the needs of visitors. Finally, we considered the inclusion of this area in the National Park System as a "national battlefield."

We would point out that through the planning process more detailed cost estimates would be prepared. However, based on needs that are typical to these types of units, we anticipate needing a visitor contact facility, parking areas, and interpretive devices for a development cost of approximately $2,100,000. Management of the area would cost approximately $250,000 per year.

Based on the proposed boundary consisting of approximately 752.8 acres, we estimate the cost of acquiring the 33 ownerships to be $5,665,000.

Mr. Chairman, as we stated previously, the significance of this area is not in question. However, given the national budget deficit and current priorities for land acquisition and operating funds for the National Park Service, we do not believe there is a realistic expectation of purchasing this land in the near future. As such, we believe it is inappropriate to raise the expectations of landowners through the establishment of this area as a unit of the National Park System.

We would encourage the State, in combination with local government and the private sector, to undertake the protection and interpretation of this area. We stand ready to provide technical assistance to such a project.

That concludes my prepared statement, Mr. Chairman. I would be happy to respond to any questions that you or other members of the Committee may have.

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS & FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 2162, A BILL TO PROVIDE FOR THE ESTABLISHMENT OF THE ZUNI-CIBOLA NATIONAL HISTORICAL PARK IN THE STATE OF NEW MEXICO, AND FOR OTHER PURPOSES.

MARCH 24, 1988

Mr. Chairman and Members of the Committee, it is a pleasure to appear before you today to discuss S. 2162, a bill to provide for the establishment of the Zuni-Cibola National Historical Park in the State of New Mexico, and for other purposes.

We recommend that no action be taken at this time on S. 2162 until the Administration has had sufficient time to evaluate the legislation.

If enacted, S. 2162 would establish the Zuni-Cibola National Historical Park located on approximately 340 acres of trust land on the Zuni Reservation in Zuni, New Mexico. The Secretary is authorized to acquire a leasehold interest in the 340 acres only by donation and shall manage the area as a unit of the National Park System. A Federal consistency requirement is provided for activities begun and licenses or permits issued after the enactment of S. 2162, and an advisory commission is established consisting of seven members appointed by the Secretary including the Governor of the Pueblo of Zuni, the Director of the National Park Service, the Secretary of the Smithsonian, and four members from recommendations from the Governor of the Pueblo of Zuni. A general management plan is required within three complete fiscal years of the date of enactment and shall include such elements as proposals for public facilities, implementation plans for a continuing program of interpretation and public education, natural and cultural resources management plans, proposals for training members of the Pueblo of Zuni, and a plan to implement the American Indian Regligious Freedom Act of August 11, 1978. Finally, the Zuni-Cibola National Historical Park would be

included along the Masau Trail (Public Law 100-225), and there is an authorization of appropriations.

Mr. Chairman, intrinsically, Zuni stands on its own as one of the most durable and rich native American cultures in North America. The abundant physical evidence of this culture, which spans nearly two millennia, is geographically integrated and, with the land itself, continues as the ancestral context for the evolved, living culture. In numerous special and theme studies that we have conducted over the years, the National Park Service has recognized Zuni as an entrepot for Mogollon and Anasazi cultural fusion, as one of the major regional expressions of the Anasazi culture, as a crossroads of Southwestern historical events since 1539, and as one of the most important centers for ethnological studies in the United States. We do not question the significance of these resources. However, since S. 2162 was just introduced last week, the Administration has not had sufficient opportunity to consider all appropriate management alternatives and to update and review cost estimates. For example, we need to consult with the Bureau of Indian Affairs. Therefore, when we have completed that review, we intend to transmit our recommendation and cost estimates in the Administration's formal report on S. 2162.

That concludes my prepared statement, Mr. Chairman. I would be happy to respond to any questions that Members of the Committee may have.

Mr. ROGERS. I think, Mr. Chairman, it would be the best use of time if we just proceed to questions.

Senator BINGAMAN. I do have several questions here. Let me just start into those. I will try to take these in the same order that you went through them.

First on the Coronado Trail legislation, could you elaborate a little bit on the reasons why we need to extend the time required to complete this study?

Mr. ROGERS. Mr. Chairman, the conduct of a national trail study is a good deal more than just an exercise in scholarship and research. It does require a good deal of interaction with other interested parties. A very, very important person would be our State historic preservation officer in New Mexico, Tom Merlan, with local governments, with citizens. We do these trail studies involving a great deal of public participation, and that takes a good deal of administrative time, in addition to the time to hold the hearings, the time that is required to actually do something with the public comment you receive.

And the National Trails System Act itself, which is the approach we are accustomed to following does allow three years for a study of this type.

Senator BINGAMAN. How much funding will be needed this next fiscal year in order to pursue or undertake this study?

Mr. ROGERS. Our estimate, the estimate that I have overall, is a $250,000 cost, but that is over the entire period of the study. Possibly Mr. Faris would have a better answer in terms of one year.

Senator BINGAMAN. Do you have anything with regard to the one year cost?

Mr. FARIS. Mr. Chairman, Senator Domenici, normally in order to undertake a full National Trails System feasibility study requires $100,000 during the first year of the study team formulation and then subsequent appropriations following that to complete a study, as Mr. Rogers was saying. At least two years is normally required to complete that type of study because of the requirements of the National Trails System Act and the application of the criteria that are listed within that act, as well as the public involvement requirements that are necessary.

Senator BINGAMAN. I think maybe what I will do here, in order to facilitate this, is ask if Senator Domenici has other questions on the Coronado Trail bill. Maybe you should ask those now, and then we will go to the next one. And we can both ask the questions that occur there.

Senator Daschle has also come in and is here as a member of the Select Committee on Indian Affairs with particular interest in the Zuni-Cibola legislation. Before we go on, did you have an initial statement you wanted to make?

Senator DASCHLE. Mr. Chairman, I was asked by my chairman—I should say cochairman—to indicate this afternoon our presence and our support for your efforts to hold the hearings this afternoon, especially with regard to Zuni-Cibola. We are interested in the bill and commend its authors and hope that we can join with you in a speedy consideration of the legislation.

And I look forward to the testimony this afternoon. I am between hearings and hope to come back to hear testimony on this.

But in case I don't, we certainly want to lend our support for your efforts today.

Senator BINGAMAN. Well, thank you very much.

Senator Domenici.

Senator DOMENICI. On Coronado, let me just ask, if I understand correctly, you support the bill. The issue is how much time is a reasonable time to get it done. But what about the estimate of the cost? I have just heard a couple of numbers. Do we need an additional appropriation? Or if we went with a longer period of time—and I'm not suggesting that is what we will do, but if we did, can it be accommodated within existing funds?

Mr. ROGERS. We believe we can accommodate that within existing funds.

Senator DOMENICI. You suggest 3 years. Could you do it in 2? We have 1 in the bill.

Mr. ROGERS. Senator, I don't know if we could do it in 2. I think the 3-year period is one that fits well with our experience. I think we would do a much better job for you in a 3-year study than we would in a 2-year study.

Senator DOMENICI. I have no further questions. Thank you, Mr. Chairman.

Senator BINGAMAN. Let me ask on the second one that you referred to, which is the Spanish colonization legislation, how much would you estimate would be required this fiscal year to begin the study that is discussed or contemplated in this legislation? I am referring to the 1989 fiscal year.

Mr. ROGERS. It is our estimate that if we were to begin the study, it would cost about $100,000 during the first fiscal year.

Senator BINGAMAN. During the first fiscal year?

Mr. ROGERS. Yes, sir.

Senator BINGAMAN. I guess I would like you to comment on your view of the importance that this whole issue of the Spanish borderlands and development of the Spanish borderlands or settlement colonization of this area, where that fits in the National Park Service's priority list. I know you have the Spanish Colonial Institute there in Albuquerque at this time. And I know that Dr. Sanchez does an excellent job there. I would be interested in where you think this subject fits in your priorities.

Mr. ROGERS. Senator, of course, money is very tight, and we have to make it go as far as we possibly can in even having the Spanish Colonial Research Center today. But having established that preface, it is really very important to us. We are determined for the quincentennial of the discovery of the western hemisphere by Christopher Columbus to be a major event. We believe that it has the same kind of chance to reinvigorate American interest in not only their history but to reinvigorate a national interest in the Spanish colonial part of our history, something we have really neglected for about the last 50 years.

So, we have in mind some very broad-based activities to celebrate the quincentennial in the national park system through the states with our friends and colleagues there and in 400 local governments that interact with us.

I would like to submit for the committee's information a plan of action for the National Park Service commemoration of the quincentennial.

If you are interested, you might enjoy glancing at a report we just did on the nationally significant properties in the United States that relate to the Spanish colonial era. We have just completed this with money provided under the United States/Spain Joint Committee on Friendship, and have just submitted 50 copies of this to the Spanish Ministry of Culture. And it contains some of the sites about which we are speaking today.[1]

Senator BINGAMAN. I guess I would ask also now, the quincentennial is coming up in 1992. Is it appropriate to take the basic theme of this legislation and to expand the bill to include a broader evaluation of this Spanish borderland story? Is that an appropriate course to follow? What do you recommend on that?

Mr. ROGERS. Mr. Chairman, if we were going to do the kind of studies that the bill has in mind, we would definitely prefer, as professional historians, to examine the question in its broadest contexts. And I believe the question before us is the Spanish colonial contribution to American history. We have identified 35 units of the National Park System in the southeast region, southwest region and western region that conform this theme. So, we would want to take a very broad point of view.

Senator BINGAMAN. So, if we did go forward with the legislation, you would favor a broader study of the significance of the Spanish colonization in the country.

Mr. ROGERS. Yes, sir.

Senator BINGAMAN. Senator Domenici.

Senator DOMENICI. Thank you very much, Mr. Chairman.

Mr. Rogers, let me ask you, is it not currently anticipated that we are going to try as a nation as part of the 500th anniversary of Columbus' discovery of America to stress not only the part of America that started over here on the eastern shore, but rather that we are going to stress the Hispanic part in the evolution of this country? Isn't that already one of the themes that we are planning to undertake?

Mr. ROGERS. Senator Domenici, that is a very, very strong element of the National Park Service plan for participation in the quincentennial. There are, of course, others who are responsible for leading that celebration nationwide, but we feel we have a particular responsibility. We definitely will emphasize that.

Senator DOMENICI. Well, I think if you have objection to the more narrowly focused feasibility study that you ought to submit to the committee your ideas—and I would hope you would do them in writing—as to how we might be of assistance in promoting the broader aspects. Hopefully it will include some things in our state. I don't see how it cannot. And I think we ought to be helpful to you. We don't want to interfere with the 500th anniversary group, but I think we want to lend some impetus to it. So, I would hope that you would submit that to us. Could you do that within your current resources? Give us your ideas?

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[1] Report retained in subcommittee files.

Mr. ROGERS. I would be very glad to. And I think perhaps our plan for the celebration is a beginning point for that.

Senator DOMENICI. Having said that, let me suggest one of the issues within this feasibility bill—and I understand it is just a feasibility study. One of the buildings, the Los Luceros Hacienda, we have a particular problem with in that if we don't do something, it may not be available. And I'm just wondering, while you object and you have given us the reasons, it is my understanding that if something isn't done by way of determining its significance that leads to an acquisition of some type, that it may be lost as an opportunity. I am not sure of that, but it seems to me, based on the history I have had that that might be the case. Is that not right, Jeff?

Senator BINGAMAN. No. I think that is right. That is my information too.

Senator DOMENICI. So, I am just wondering if you might find some way to be helpful in that regard. We are not asking you to put up money to acquire it. This was a feasibility to determine that it is, indeed, relevant and significant. And we then have to make a decision here—and you all do as part of the executive—if we do anything about it. And if we do no feasibility study, then I am thinking we are going to be nowhere.

Mr. ROGERS. Senator, I am advised that Thomas Merlan, our state historic preservation officer in New Mexico, is at the present time examining the Los Luceros Hacienda for possible nomination to the National Register of Historic Places. That is certainly a very good beginning point. We would be glad to cooperate in that. He is accustomed to preparing such studies and does a very good job of it. And we are confident in good work.

Senator DOMENICI. He is here, is he not?

Senator BINGAMAN. Yes, he is. He'll be testifying a little later.

Senator DOMENICI. Could I ask one last question? With reference to the third aspect of this feasibility legislation, the feasibility of an interpretive center emphasizing the history of the first colonization of the interior of the United States, do I understand that you do not argue with the significance of that kind of an event or that kind of an interpretive center, but rather at this point you oppose it on the basis of not having enough resources and perhaps being too narrow within the overall scope of Hispanic impact? Do I understand you correctly?

Mr. ROGERS. Senator, in terms of an interpretive center, I think the issue comes back a bit to what I said about the Mimbres culture bill. We believe that the National Park Service ought to interpret places and history that is represented in tangible form in historic places. That is what our parks are. That is what the national historic landmarks are. That is what the National Register of Historic Places is composed of. And I think that joint visitor centers, for example, where the Park Service and other Federal agencies could in one place tell something about the historic places throughout a state or a region make a lot of sense, but we would not like those centers to become simply abstract places to tell historical stories. There is where we think we step over the line between the National Park Service and perhaps the Smithsonian itself.

Senator DOMENICI. Well, I guess that leads me to ask if that is the case and if this committee were to agree with that, who should do the feasibility for this kind of facility?

Mr. ROGERS. Well, I think that if such a study is done, the National Park Service is the most capable agency. After all, we are the principal agency in the United States that deals with historic places whether they are in the parks or on other Federal agency land or places that have been nominated to the National Register.

Senator BINGAMAN. Let me just follow up on that before we move off the Spanish colonization. As I understand it, the San Gabriel site is now a national historic landmark. And I don't think there is any dispute among historians that it was the original site of the colonization expedition that Juan de Onate from Zacatecas in 1598.

I guess my question is that considering that fact, if an interpretive center was established to educate potential visitors to the San Gabriel site, and to other relevant nearby sites that related to that Spanish colonization, you would not have a problem. The Park Service does have interpretive centers where it interprets nearby sites for people who are intent upon visiting those, as I understand it. You don't want to get in the business of having an interpretive center of the Spanish culture which is not tied to a site. Is that right?

Mr. ROGERS. That's correct, Senator. And also, we would like such a responsibility to be tied to our normal statutory responsibility to lead others in the preservation of specific historic sites. In other words, we are place and site oriented.

There comes to mind, for example, that sometimes we have units of the national park system that are not actually owned by the National Park Service, but arranged through cooperative agreements. Perhaps my colleague, Mr. Faris, who is much more familiar with the situation in New Mexico might want to comment.

Mr. FARIS. Mr. Chairman, as Mr. Rogers was indicating, the National Park Service in its policy certainly looks toward commemorating places and resources. And if a visitor center or orientation center were to be directly related to resources that can be tied significantly to the Spanish borderland story and the colonization in the southwest by the Spanish, that would definitely be preferable to the agency.

Senator BINGAMAN. That would be preferable to just doing an interpretive center which does not talk about any nearby sites. Is that what you are saying?

Mr. FARIS. Yes, sir.

Mr. ROGERS. One thing comes to my mind is that in Jean Lafitte National Historical Park in New Orleans, the French Quarter is regarded as a unit of that park, but the National Park Service doesn't own one square inch of land there. We have a visitors' center there. We provide interpretive services.

Senator BINGAMAN. So, let me just conclude that line of questioning. If it were determined by your historians that the Espanola Valley, and the San Gabriel site in particular, and possibly the Los Luceros site, maybe other sites, were historically significant because of their being the location of the first Spanish colonization in the interior of this country, then you could have an interpretive

center in the Espanola Valley which would draw that to the attention of visitors. Is that an accurate statement?

Mr. FARIS. Well, I certainly think that could be possible. I think we would definitely like to evaluate the Espanola Valley in the larger context of New Mexico and the region, looking at other sites as well as San Gabriel and Los Luceros, and trying to make some determinations through that type of an evaluation where such facilities might be most appropriately located and beneficially located. It could well be that Espanola Valley could be the recommendation of such a study.

Senator BINGAMAN. Let me go on unless Senator Domenici had any other questions on that.

Senator DOMENICI. I have none.

Senator BINGAMAN. Let me ask about the Mimbres cultural bill. Director Mott agreed in December that there was merit in preparing I believe what he called a reconnaissance study on this issue. Could you tell me the status of that, when we could expect that study, what the status of it is?

Mr. ROGERS. I believe Mr. Faris himself did that study, and it should be available in about two weeks and will be submitted then for clearance by the Department of the Interior and the Office of Management and Budget and transmitted to the Congress.

Senator BINGAMAN. Is there anything you can tell us at this point about the findings of the study?

Mr. ROGERS. Mr. Faris?

Mr. FARIS. Mr. Chairman, we have spent the last 90 days at your request and at the direction of the Director of the Park Service, Mr. Mott, to undertake a reconnaissance study in the Silver City-Mimbres Valley region. And as part of the study, we wanted to become more familiar with some of the resources that are there, as well as the conditions and integrity of these resources. We have done some review of literature and discussions with many different people knowledgeable and involved with the Mimbres issues. We have met with people in Silver City and have taken a cursory look at structures that have been suggested for potential orientation centers or museums. Of course, this orientation center might also include an appropriate location for information on the recently established Masau Trail.

And the result of that is that we have concluded, again on a cursory basis, that the potential significance of the Mimbres culture merits further and much broader evaluation than we have had the opportunity to undertake. Certainly the evaluation of structures for museums will take detailed engineering, architectural and feasibility studies to determine how feasible those structures are to be used for such functions.

And we have also taken an opportunity to evaluate the relationships of the Mimbres culture to other southwestern, New Mexican regional prehistoric cultures such as the Salado culture, Mogollon phases, as well as the Casas Grandes culture which is located geographically to the south of the Silver City area, and made some preliminary recommendations, as well as scoping statements about what kind of team would be required to undertake this kind of study and how much funding that study would require.

Senator BINGAMAN. Let me ask one additional question. We have got a vote that has just started, and we will have to interrupt things here in about 3 or 4 months to go vote.

But let me just ask if you say at this point, based on what you have done and what you just related to us, whether you have made any conclusion about the merit of doing further study and whether or not it is something that those of us in Congress should try to fund.

Mr. FARIS. Mr. Chairman, our recommendation from our reconnaissance study will indicate that the Mimbres culture definitely merits further evaluation from several aspects, those which I have just mentioned previously.

Senator BINGAMAN. Is it clear that the greatest concentration of these Casas Grandes ruins and artifacts are in this Grant County-Mimbres Valley area? Could you tell me where you have located those?

Mr. FARIS. Well, the Casas Grandes culture primarily was located south of the Silver City area. However, following the decline of the Mimbres culture, many of the Casas Grandes sites apparently do occupy the same sites as the Mimbres sites originally did, but primarily the Casas Grandes culture was focused in Hidalgo County surrounding the Animas Mountains and was the result of a northward push from the Chihuahuan area of Mexico into what is today New Mexico. And there are many sites there, at least 15, that have been recognized as being very large sites with typical characteristic features as are found in the Casas Grandes sites in Mexico.

Senator BINGAMAN. Senator Domenici, did you want to start with your questions, or should we go vote?

Senator DOMENICI. I think we ought to vote.

Senator BINGAMAN. Why don't we take about an 8 or 10 minute recess while we go over and vote. We apologize for the interruption.

[Recess.]

Senator BINGAMAN. Senator Domenici, do you have some questions on this Mimbres legislation?

Senator DOMENICI. I have none. Thank you very much.

Senator BINGAMAN. The next item that we were going to—I think in the order that you took these, Mr. Rogers—was the Glorieta Battlefield. Dr. Ed Bearss is here, and you are the historian for the Park Service. Could you describe briefly for us the significance of the battle of Glorieta to the Civil War? I understand that this is a subject near and dear to your heart. We are anxious to hear your point of view on it.

Dr. BEARSS. I will hold it to five minutes with your permission, Mr. Chairman.

Senator BINGAMAN. That will be great. Thank you.

Dr. BEARSS. Now, the battle of Glorieta Pass was important in the Civil War in its relationship to the west, but first you have to put it briefly into perspective. Texas withdrew from the Union in February 1861, and one-eighth of the United States Army was stationed in Texas and automatically surrendered to the Confederates. So, that defines the old western border of United States troops.

Texas immediately began organizing forces of their own Texas volunteers to carry the war into New Mexico, Arizona and the western territories. These were to be very important for the Confederacy because they believed they had a common interest in the western lands. They were interested in the gold and silver production. They were interested in extending the Confederacy to the California seaboard.

So, the Texans began organizing in Santa Fe, and in San Antonio a force of 3,500 men commanded by General Henry Watkins Sibley. Watkins Sibley is the man that said that he loved whisky more than home, country and God. So, he was going to command the force that they were going to send into New Mexico.

With the resignations of soldiers to capture a lot of the south, the commander of the department of New Mexico, one-handed, one-armed General Loring had thrown the defense system in New Mexico into confusion. The first Texans to enter New Mexico are the Second Texas Cavalry commanded by Colonel Baylor, and they arrive in Masilla on the 13th day of July. Occupying Masilla, they advance against Fort Fullerton, defeat the Union forces there and as they pleaded at Fort Stanton, forced them to surrender.

Senator BINGAMAN. Which year is this?

Dr. BEARSS. This is 1861.

The 3,500 Texans leave San Antonio on a 700 mile ride to Fort Bliss and Masilla. They arrive in the area of Fort Bliss in January 1862. They send one column on to seize Tucson in Arizona where they set up a territory of Arizona. So, they reached clear to Arizona.

Then the Confederate column starts northward from Masilla to attack the Union forces at Fort Cray. On the 17th, 18th and 19th of February, they defeat the Union forces at Fort Cray and bottle them up and head up northward and on the 10th the Confederate forces occupied Santa Fe.

Senator BINGAMAN. Now, this is 1863?

Dr. BEARSS. It's 1862.

The Confederate commander, General Sibley's orders are to seize New Mexico, and then be guided by convenience and judgment which would mean that he could move into either Arizona, on to the west coast, or strike into the silver and gold mines of Colorado. He decides to head north for Colorado.

Coincidentally with this movement out of Santa Fe towards Colorado, moving up the line of the Santa Fe Trail, the First Colorado volunteers commanded by Colonel Slough—Slough was an Ohio politician who was somewhat distrusted because he was a good Democrat. [Laughter.]

His second in command is Major Chivington, a fire and brimstone Methodist preacher weighing about 250 pounds. So, I can imagine the horse riding all the way there.

But these Coloradoans marched 400 miles in 13 days, which is good time, from the area of Denver. And they reach the area of Fort Union on the 11th day of March. So, we have the Federal forces, the First Colorado, joining the Union garrison at Fort Union on the 11th day of March. The Confederates are in Santa Fe on the 10th.

The Confederates now begin moving up the Santa Fe Trail as the Union forces move out of Fort Union. Sibley is probably in his cups, and he sends Colonel Scurry on to command the advance expedition. I hope we don't have any of Sibley's relatives here. [Laughter.]

The Union forces have now moved out of Fort Union and by the morning of the 26th the Union forces, roughly 1,300 strong, are in Camp Kozloski's Ranch. This area here. The Confederate advance under Major Pyron has reached Johnson Ranch, which is the other unit indicated here at Johnson Ranch. It would be about five miles from this section of land that you sweep over along the Santa Fe Trail down to the Johnson Ranch. On the morning of the 26th, Chivington moves through Glorieta Pass, and as he enters Apache Canyon, engages the Confederate advance. And in the day-long fighting the Confederates are driven back.

Chivington during the night returned to Kozloski's Ranch and reports to Colonel Slough. Pyron has called for help, and Colonel Scurry arrives with 1,300 more Texans at Apache Canyon. On the March 27, both sides regroup. And on the 28th Colonel Slough moves forward with his First Colorado Cavalry and about noon he reaches the area around Pigeon's Ranch in Glorieta Pass.

Meanwhile he is detached—Major Chivington with 400 men—and they made a march through the rugged countryside south of the Glorieta Pass heading for Johnson Ranch. Don't forget them now.

The two forces, Scurry and Slough, first clash about 300 to 400 yards north and west of Pigeon Ranch. Both sides put artillery into position and they extend their flanks to the high ground on either side to try to get control, and the battle ebbs and flows for the next five hours. But at the end of five hours, the Confederates have apparently prevailed.

Slough's men head back to the Pigeon Ranch area, returning to Kozloski's Ranch—morale is very low—when suddenly a man with a flag of truce arrives from Colonel Scurry. And he asks for truce. Slough is back here. He thinks he has lost the battle. They do not know because—as we say, meanwhile back at the ranch—— [Laughter.]

Senator BINGAMAN. This is the Johnson Ranch. Right?

Dr. BEARSS. Yes, the Johnson Ranch.

Chivington, moving across the high ground here, comes out on high ground overlooking Johnson Ranch. The Coloradoans, some of them miners, some deadbeats, lower themselves down over cliffs and drop down and attack the Confederates supply train. The 73 Confederate wagons carrying all their supplies that they brought all the way from Texas to subsist them as they sweep hopefully into Colorado to seize Colorado are destroyed. They left behind—they have been fighting this battle, so they left 500 of their horses and bugles behind and Chivington's men slaughtered the horses and mules. And that is why the flag of truce came in to Scurry and said that his supplies were gone, his horses were gone, and what looked like a Confederate victory has become a Confederate disaster. The Confederates with their supplies gone recoil on Santa Fe.

Meanwhile, the Union force that has been at Fort Cray because it had been bypassed, has started moving northward to Albuquer-

que. So, the Confederates faced by Slough moving southward again from Kozloski Ranch can be moving northward from Fort Cray abandon Albuquerque and Santa Fe on the 12th day of April and begin a retreat. And it is a tragic retreat for the Texans. They retreat southward through Masilla, and in mid-summer arrive back at San Antonio. The Confederate force that probably marched out of San Antonio with over 3,500 men has returned less 1,500.

New Mexico and the western territories are now secure to the Union and the Confederate attempt that was to carry the war has even ordered to seize and drive the Federals out of New Mexico, proceed further, and as convenience and your judgment would occur, has broken down, and we have the Gettysburg of the west.

Thank you. [Applause.]

Senator BINGAMAN. Now, Sibley was still in his cups back at Fort Union. Right? [Laughter.]

Dr. BEARSS. Yes. Sibley was in his cups in Santa Fe and Albuquerque. As is said, John Barleycorn had got General Sibley.

Senator BINGAMAN. All right.

I guess for any of you, let me ask if you could describe—the Park Service did an evaluation for the site that was prepared earlier this year. Could you describe that for us?

Mr. ROGERS. Mr. Chairman, I believe Doug Faris is the best qualified to comment on that.

Mr. FARIS. Mr. Chairman, this past fall House Subcommittee Chairman Bruce Vento requested the National Park Service to undertake an evaluation of the Glorieta Battlefield area because the Service had not previously participated in any feasibility study or at that time did not have sufficient information to respond to the questions of the House subcommittee. We have completed that report and presented it to Congress.

And it includes statements on the significance of the battlefield of which, as Mr. Bearss so eloquently stated, there is no doubt about the national level of significance of the Glorieta battle and the results of that upon the Confederate Army.

Our study also includes determinations of the integrity of the battlefield, threats to those resources, as well as presenting preliminary areas that we feel should be included within any boundary if Congress directs the National Park Service to manage the area as a unit of the National Park Service. The boundaries include two separate areas, one focusing on Pigeon's Ranch near the Glorieta Pass, and the second one, approximately six miles to the west of Johnson's Ranch. These total 750 acres of which 350 of those acres are at the Johnson's ranch area.

We did not include any land at the Apache Canyon area which is presently on the National Register of Historic Places. The battle that occurred at Apache Canyon has not in our opinion been sufficiently identified as to its location to draw any boundary conclusions or protection conclusions about that area.

We have made the statements in our briefing data and conclusions that if the Service is requested to manage the area, we would certainly prefer the terminology of "national battlefield," which is a policy thrust to the agency, as well as authority to protect the area and acquire the area so that it could, in fact, be managed as a national battlefield.

Senator BINGAMAN. Let me ask if you have had some meetings with local landowners. I think you have had. Maybe you could give us the results of those meetings.

Mr. FARIS. Yes, Mr. Chairman. We held a public meeting with the landowners at the Glorieta Baptist Convention Center in January of 1988 and discussed with some 50 people, many of them landowners, their thoughts and concerns about the establishment of the area.

There was a wide and broad range of concerns presented. Certainly some of those—the majority of them focused on land issues, whether the Federal Government had the authority to so-call zone the area against further development, how we might go about acquiring the area if directed by Congress to do so. Several of the landowners said they were not interested in participating in this program. Several of them were very interested, but wanted to be acquired immediately, and others felt that the enactment of a battlefield might severely restrict the economic value of their land, and they had questions about the enactment on that basis. Others were very concerned about being able to continue to conduct the reenactment of the battle, which is done normally on an annual basis. They very much wanted to have the opportunity to continue that activity.

Senator BINGAMAN. If the Park Service were limited to acquiring only land from willing sellers, in your view what would this do to whether this could be come an operational unit, as you folks use that term?

Mr. FARIS. If we were limited to a willing seller approach at Glorieta, the agency feels that the site might never become an operational unit because of the lack of interest of many landowners to sell their property to the Federal Government. That, of course, could change through time.

Several landowners have interest in—and there are 33 landowners that we have identified, by the way in the 750 acres, and approximately 22 improved structures, those being residential structures—that we might never be able to make it operational. There is little effort locally at this point to restrict development. As a matter of fact, recent decisions have been—permits have been granted for new development within the area delineated in our report.

Senator BINGAMAN. Now, the legislation, as we introduced it, would designate the site of the battle as a national historic site. As I understand your earlier statements, your present thinking is that it should have some other designation rather than a national historic site?

Mr. ROGERS. We are generally, Mr. Chairman, in favor of battlefields being designated as national battlefields. We have thought very deeply about that in the National Park Service lately and about why we set aside battlefields. And we really set them aside to think very deeply and soberly about the meaning of the wars that they represent, and we think that nomenclature would be best.

Senator BINGAMAN. My final question is whether a small commemorative area would serve the purpose of properly interpreting

this battle if it is not possible to go forward with the land acquisition that is otherwise being discussed here.

Mr. ROGERS. Mr. Chairman, we would not encourage a small, commemorative area. That is not really unlike the notion of putting up a plaque when you tear down a historic building saying an important building once stood here. I think that it is very, very important to hew to the really enlightened principles that the Congress has set forth in the Historic Sites Act of 1935, the National Historic Preservation Act of 1966, and other laws that advocate the preservation of the historic resource themselves, rather than just trying to remember what it was like before it was lost. We could easily become a nation of commemorative markers without being a nation of historic places.

Senator BINGAMAN. Senator Domenici.

Senator DOMENICI. Thank you very much. Mr. Chairman, I think in addition to the information that the Park Service gathered in their briefing data on this that we have a few letters from property owners indicating their positions. I think I have three here. I would like them to be made a part of the record.

Senator BINGAMAN. They will be included in the record.

[The material referred to follows:]

November 2, 1987 NOV -9 PM 11:05

Hon. Pete Domenici (NM)
SD 434
Washington, D. C. 20510

Re: HR Bill 3118
Subcommittee on National Parks and Public Lands
Introduced August 5, 1987
Historic Glorieta Battlefield

Dear Congressman Domenici:

Mr. Robert Solo recently called regarding the above bill which was introduced by Congressman Bill Richardson. At the time, we did not know very much about this pending legislation, but we have since learned more about it, and feel that it would not be beneficial to our interests in any way if this historic battlefield is designated.

We have invested our money in approximately 24 acres of land at Glorieta which is within the proposed limits of the battlefield. Our children are considering building homes there, and we wish to sell lots to other home builders. We feel the restrictions which will be imposed by the bill now pending would destroy our property for the purposes for which we purchased it.

Because of these things, and the fact that our property would be considerably devalued if no one can build on it, we are opposed to the passage of this bill.

Respectfully yours,

Alfred G. Marshall

Wells B. Marshall

Alfred G. Marshall
Wells B. Marshall
[illegible] Calle Oso
Santa Fe, New Mexico 87501

1988 FEB -3 AM 9:55

P. O. Box 2402
Santa Fe NM 87504-2402
Telephone - 505-982-2984
January 27, 1988

Hon. Pete Domenici
SD 434
Washington, D. C. 20510

Attention: Subcommittee on Public Lands, National Parks and Forests of the Senate Energy and Natural Resources Committee.

Dear Senator Domenici:

Re: Senate Bill 1593
Historic Glorieta Battlefield

I am writing you to express my opposition to the Senate Bill which would make a historic battlefield at Glorieta, New Mexico. I own 25 acres of land right in the center of the area being considered, which my husband, J. H. Burttram, Sr., now deceased, and I considered prime property for development, and perhaps even for a retirement country home. The property has a small pond (in this arid section of the country that makes it even more desirable), with a small stream running through it. It has great potential as investment property, or as a homesite for myself or my children. To include it in a designated national battlefield would, in my opinion, destroy it for the purposes for which we intended to use it.

I want to stress to you that I strongly oppose the government designating any of my land as a historic battlefield, and would appreciate your conveying this opposition to the other members of the committee.

Thank you for your consideration of the above matter.

Respectfully yours,

Louise M. Burttram

LMB

LOUISE M. BURTTRAM

P. O. Box 693
Santa Fe NM 87504-0693
Telephone (505) 471-0761 (office)
(505) 473-0612 (home)
January 28, 1988

Hon. Pete Domenici
SD 434
Washington, D. C. 20510

Attention: Subcommittee on Public Lands, National Parks and Forests of the Senate Energy and Natural Resources Committee.

Dear Senator Domenici:

Re: Senate Bill 1593
Historic Glorieta Battlefield

A Bill has been introduced in the Senate, (and also the House of Representatives) by Senator Jeff Bingaman (D- New Mexico) to make a historic battlefield at Glorieta, New Mexico. I own approximately 35 acres of land in the area being considered, through my corporation, DFMCO, INC., of which I am the sole owner. I had intended to build a home on this property for my family, as it is very desirable, and the site I have chosen for my house has a nice view, and a little creek running through the property. I consider it choice residential property, and am opposed to any of it being chosen as a battlefield.

I am, therefore, writing you to express my opposition to this Bill. I certainly do not want my property included in a historic battlefield site, and request that you do not approve this bill.

Thank you for your consideration.

Respectfully yours,

DFMCO, INC.

J. HARMON BUTTRAM, JR.
President

JHB

Senator DOMENICI. Let me first say, Dr. Bearss, if we could just get you to show up at Glorieta several times a year I'm sure we would be doing a great service just based on what you have accomplished here today. I'm sure word of mouth would soon spread and we would truly have a memorable crowd on a regular basis. I do want to compliment you. It was more fun the last 25 minutes than I have had around here in many, many weeks. I'm not sure you came here for that purpose, to amuse me or others, but I want to thank you for it. It was very, very exciting to me, and I am very hopeful we can do something about this.

I would assume regardless of the technicalities—and we have some technical issues—that you do think this is a very historic area and that we ought to do our best to try to keep it alive for future generations in some way. Is that a fair statement?

Dr. BEARSS. That is correct, Senator. This is a nationally significant site. How many people are killed or wounded in big battles don't make them that much more important than another because this battle, while having a relatively small number engaged compared to Gettysburg or Shiloh, or other bigger named battles in the Civil War, is very important to the outcome of the Civil War. And it has a great deal of integrity. It tells a story of—I like to throw it in there—the people of that time. It is when the country was simpler, the people all have colorful personalities. That is what makes it so exciting to talk about them. So, it is a pleasure to come and talk about these events.

In the words of Judge Peckham—I'll quote one time here—when Gettysburg National Military Park was established in 1894, Congress had never established national parks or battlefields before on which they purchased land. The parks had been established in areas where there was public domain. And they moved to condemn the Gettysburg Railroad as authorized by Congress. The Gettysburg Railroad appealed and challenged the right of Congress to establish memorial areas to commemorate great events in the history of our country.

Judge Peckham, speaking for the whole Supreme Court on a 9 to nothing ruling said, in essence—and I will paraphrase—that this is an inherent power of Congress to create national military parks and appropriate monies to them because these events are so critically significant to the whole history and the life of our country. That was applying to Gettysburg, but it could apply as well to Glorieta Pass.

Senator DOMENICI. The only regret I have this afternoon is that Senator Phil Gramm wasn't here——

[Laughter.]

Senator DOMENICI [continuing]. Because he would have had to listen to the story of how some Texans got out-foxed here. Right?

Dr. BEARSS. Right.

Senator DOMENICI. Or out-somethinged.

Dr. BEARSS. Thank you, Senator.

Senator DOMENICI. I am kind of confused because I look at these maps, and I note that we have a highway running right down the middle of this Highway 50. It is already there. If we wanted to do something that accepted your recommendation, a national battlefield—and we wanted to make the decisions on whether we had the

money to eventually do it and we don't want to hurt any property owners. Under our law they get compensated. We are not trying to take anything away from anyone. Where would we go next? I mean, this isn't enough information for us to decide yes or no. The magnificent history lesson certainly gives us a little bit of reason to ponder this. But what would we do next?

Mr. FARIS. Senator Domenici, I would recommend further discussions with the landowners, some of whom have indicated their feelings to us and to determine more completely their interest and their willingness to participate in this program.

Senator DOMENICI. Well, frankly, I think, Mr. Chairman, I would just give you this as my observation, and I don't have anything further to ask about it. But it seems to me that we ought to have a little bit more information on, if we were going to establish it as a national battlefield, what would be required to make that a living reality. I mean, when we established the Gettysburg battlefield that went to the Supreme Court. We established something that is living. Events occur within it, and certainly we couldn't do it exactly the way it was back in the Civil War. But even if we can't do the whole thing, it seems to me we ought to have a proposal as to what could be done and then pass judgment on whether it makes sense. And if we don't have enough money for all the land, do we have enough for some and would it be alive? Is that a feasibility or a half a feasibility or a study or a recommendation? I really don't know, but I don't have any trouble with the battlefield. Do you, Jeff?

Senator BINGAMAN. No. I'm not concerned about the title on it exactly. I do think we need to get more expert advice on what our options are.

Senator DOMENICI. I agree.

My last question is—somebody said they conduct a battle there all the time, every year. How does that take place? I don't want a long dissertation, but is it meaningful?

Mr. FARIS. It has tremendous interest locally, Senator Domenici. Last year during the reenactment, which I believe occurred in May, not in March during the month of the actual battle, over 4,000 individuals attended that reenactment, many of them dressed in Confederate or Union uniforms, and of course many onlookers. And that was conducted near the Pigeon's Ranch area.

Senator DOMENICI. Thank you very much.

Senator BINGAMAN. Just to complete the questions on this, in response to what Senator Domenici was asking, is it possible for you folks to just give us a brief written statement as to what the options are that we could consider pursuing at this point with regard to this so that we could get the additional information we need to decide whether to go forward? Is that something that you could give us without doing additional field work?

Mr. ROGERS. Mr. Chairman, I suppose if our study is not sufficiently to the point, we can submit more precise recommendations without literally going and extending the study itself. We are principally concerned about not having a manageable unit, and that runs directly to the question of who owns how much property or how can we guarantee preservation and cooperation. And we are concerned about I guess details as well, such as not being required

to manage any such unit as a subset of Pecos National Monument. There might be better ways to manage it.

Senator BINGAMAN. Maybe our staffs could get together with your staff and figure out if there is a way we can go at this point.

Let me interrupt the flow of testimony right now for just a moment. Robert Adams, who is the Secretary of the Smithsonian Institution, is here, has come in. And I would ask if he could come forward at this point and join the panel before we get into any questions on the Zuni-Cibola national park proposal. Mr. Adams has an interest in that legislation and also, as I understand it, in the Mimbres legislation. And possibly before we start into questions regarding the Zuni-Cibola, Mr. Adams, if you had any kind of comments or initial statement you wanted to make, we would be glad to hear those. And then we will have questions for the entire panel on the Zuni-Cibola, particularly if you had any comments on that or on the Mimbres.

STATEMENT OF ROBERT McC. ADAMS, SECRETARY, SMITHSONIAN INSTITUTION

Mr. ADAMS. Yes, Mr. Chairman. I should say at the start that while I am an archaeologist, my primary field of interest has not been in the southwest. I have worked as an archaeologist in New Mexico, somewhat further north in the reserve area. And I have been involved in work that went on in the Chavez Pass area on the other side of the Arizona line so that I come at this with some specialized knowledge. And, of course, I am also concerned from the point of view of the Smithsonian which has a very substantial interest in everything to do with the history and archaeology and life of American Indians and which, therefore, is looking at the question of the pair of bills that have brought me here with considerable interest and I must say considerable sympathy.

That is the general framework in which I have come. I don't feel prepared to speak to the technicalities of the financing or the timing. But I think I have read these over carefully, and I have had some discussions about them. And I certainly am prepared to discuss them further.

Senator BINGAMAN. Well, thank you very much for being here and we appreciate all the interest you have shown in these pieces of legislation.

Let me ask a few questions of the Park Service here first on this Zuni-Cibola proposal.

My understanding, Mr. Rogers is that the Park Service has been studying the issue for about 20 years. And as recently as 1979 or 1980, you prepared a report regarding Zuni-Cibola. Could you describe what that report is and what findings the Park Service has made during this long period of study?

Mr. ROGERS. Mr. Chairman, I think that Doug Faris would be the best one to answer that.

Mr. FARIS. Mr. Chairman, it is correct that the National Park Service has been involved with studying and evaluating the cultural and historical importance and significance of the Zuni area at least as far back as 1960, and during that period various plans and studies have been prepared, some of which have been requested by

the Secretary's advisory board of the National Park Service, and the most recent one being in 1979. The results of these studies have led to a record that indicates that the significance of the Zuni-Cibola area is of certainly of national significance, that there may be various ways to proceed with commemorating and working with the Zuni Tribe in protecting the resources of the area and also making the area available to the public and for interpretation.

The report that was done most recently in 1979 did not put forth a specific recommendation that it be a national historical park or that it be managed in some other way. It simply listed or included a series of options, two of which include managing the resources through a commission associated with the Zuni people. A second one was that it be managed as a national historical park area in concert with the Zuni Tribe.

Senator BINGAMAN. Based on all these studies that you have done, is it possible for us to get recommendations from you in the near future here? I think we are looking to try to get a clear notion of what to do with the legislation. Could we get more specific recommendations or reaction from you, say, in early April? Is that possible?

Mr. ROGERS. Mr. Chairman, we are aware of the schedule with which the committee wishes to act, and we will have the National Park Service work done very shortly. And we will do our very best to get administration clearance of some information to you by that time.

Senator BINGAMAN. There has been some discussion that I have heard of where the question has been raised regarding whether we need to have a provision in the bill for requiring the hiring of local citizens. Is that something that should be provided for in the legislation? Or is that something that happens at any rate and there is no need for it? I would be interested in your point of view on that.

Mr. ROGERS. Well, Mr. Chairman, the National Park Service has ample special appointments authority under title 5 of the United States Code. I have for you information or the record, if you wish, National Park Service personnel management letter number 83-4 dated February 10, 1983, that is in effect at this present time that would allow us to employ individuals who lived in the immediate areas of those parks or those units, if they were parks, and also a memorandum from Mr. Mario Frier, the chief personnel officer of the National Park Service, dated March 17, 1988, on the subject of employment of Native Americans, instructing the regional and park personnel officers to establish active contacts with tribal employment rights officers and to make arrangement for appropriate employment of that type. We don't think statutory direction would be necessary.

Senator BINGAMAN. So, for example, Governor Lewis of the Zuni Pueblo is here, and your statement to us is that local personnel will be employed if this legislation were to become law without the need for us to mandate it by statute.

Mr. ROGERS. Senator, I believe that is correct. I cannot imagine managing a unit of the type we are speaking about without the full strength support and involvement of the local citizens whose very history we were dealing with and whose present culture we are dealing with.

Senator BINGAMAN. Let me ask Dr. Adams just a couple of questions.

What do you see with regard to this Zuni-Cibola legislation or the Mimbres legislation? What do you see the role of the Smithsonian as being? What are the options available to you in helping accomplish the obvious goals of this which are to make some of these artifacts and art and historic sites more available and accessible to people who travel in the southwest and people who live in the southwest?

Mr. ADAMS. Well, I would say, first of all, that the Smithsonian has a long record of interest in the Zuni people and in the Zuni area. Our collections contain some very important materials, study materials, archaeological materials, ethnographic materials from Zuni in the immediate environs. And we have, in fact, worked closely and will continue to work closely with the Pueblo there.

I would assume—in fact, I can state it categorically—that we would cooperate enthusiastically with Zuni, if something along the lines of the present bill came to pass, in the training of Indian personnel to carry out those functions there. And I am sure that we would be involved in arranging for loan exhibits of various materials.

I might say that as recently as about a year ago we returned two war gods from our collections that we felt belonged in Zuni, and I dare say there are probably are further objects in our collections which presently will be returned to Zuni so that our relations are close and cooperative and will continue so. And we would be prepared to help in a very forthcoming way.

Let me go further if I may, however, Mr. Bingaman, and say that within this bill is the kernel of an idea that extends much further and that I'm equally enthusiastic about. And that involves returning to Indian people their own history and its representation in a much broader sense. It seems to me that we are beginning with the example of Zuni-Cibola, a case which is of primary importance in the history of this country and that certainly is an ideal one with which to begin. But this could very well be extended further. I think this is a case in which the representation of the meaning of their history and their culture to the American public should, indeed, be returned insofar as possible to the hands of those who are still the carriers of that culture. And I see this as an opportunity to encourage that kind of move. And it is in that spirit also that the Smithsonian would be prepared to be as helpful as it could.

Senator BINGAMAN. You referred to the training of Indian people for opportunities in curation and interpretation. Is that something that you see a real opportunity for developing in the future not just with regard to this, but in a broader way?

Mr. ADAMS. We have it very much in mind for the future, yes. We are carrying on some of that activity now, but it certainly is in our plans to expand the scope of those activities.

Senator BINGAMAN. Let me ask one final question about traveling exhibits from the Smithsonian or other public institutions. As you know, I cosponsored the legislation that Senator Inouye has to bring the Museum of the American Indian here to Washington and also sponsored legislation to see about establishing some regional museums as a way to get some of the art objects that are presently

in warehouses here on the east coast out where they are more accessible to public view.

Traveling exhibits are obviously another way to accomplish that same goal. Could you give me your views on whether that is something that needs to be expanded, what plans the Smithsonian has in that regard?

Mr. ADAMS. We already have a very substantial traveling exhibition service. In fact, I believe it may be the largest in the world. At any given time, we must have something on the order of 130 or 140 exhibits moving around the country. This is a very well developed service that the Smithsonian already has in place and that serves large museums and very small ones, so that we are not talking about instituting a new activity, but merely developing it in a further direction.

I think we have a great deal of expertise in this area. It is an area that involves some real expertise. The packing of objects so that they can move safely and the developing of exhibitions that can be put up in different settings is an art, in fact, but it is one in which we can communicate and which we certainly would want to involve Indian colleagues in.

Senator BINGAMAN. Senator Domenici.

Senator DOMENICI. Thank you very much, Mr. Chairman.

Mr. Rogers, while we are here, we have just heard an exciting description of returning to some of our Indian people some of the cultural things that are theirs and that have in the course of history been removed. You have heard Mr. Adams describe bringing some of those back in a rather exciting custodial manner where they are intimately involved. It just brought to mind another issue that both Senator Bingaman and I have worked on, and I just want to raise it.

You know, we have cultural resources by way of artifacts that are out there in the ground in various locations that are being removed not by authority but illegally, being robbed. And we have I guess for the last 6 years modified our statutes to make this more difficult for people. We have made it a crime and we have given you all authority along with others to apply some resources to protect these cultural resources. And I might just ask you, I would preface it by saying I don't think any of the Federal agencies have done a very good job. On the other hand, they probably hadn't had enough resources.

It seems to me if we are going to now bring back, we surely ought to at the same time be protecting what is there. It almost would be, first let's make sure they don't take any more away illegally. But what do you think about that as one of the government's active people in this area?

Mr. ROGERS. Senator, you have touched upon one of the things about which I feel most strongly. I think that the looting of the Nation's historic and prehistoric heritage from public and private lands is not only a despicable thing, but something that is growing to crisis proportions in the United States.

We, the Federal agencies, are doing everything that we can within our available budgets and staffing levels. The National Park Service considers itself the responsible entity for guiding and leading the other Federal agencies in this process. We are collecting

data bases, for example, of known examples of looting and theft and sharing that with the people who are responsible for protecting the resources. We are collecting information on arrests, prosecutions, sentences, so that we can help to educate the United States attorneys and the judges and juries about what is right and what is wrong.

We find that people so many times are arrested, but then just sort of dismissed with the idea that, after all, this is old Joe from next door. He is not really a bad man even though he is out doing awful things to people's heritage. We have seen examples where an individual was arrested for looting, but never convicted. And then this same individual sold his private collection to a museum for $800,000. The private market is driving us in terrible directions in the United States with regard especially to the Native American heritage. And we want to do something about it.

Senator DOMENICI. I hope, Senator Bingaman, that we can follow up with hearings on implementing the bills in that regard at some future date. It may have to be brought into more current focus. What we did before together is really not adequate for them to carry out the law. And I hope we can do that.

Could I ask one further question of you, Mr. Adams? With reference to a bringing back concept, I am somewhat concerned as I read about artifacts about the huge accumulation of artifacts that are just sitting around in warehouses and on university campuses as part of a collection process and that we are not even sure what we have, what we're going to do with it. Does that concern you at all that we are doing a very good job in this area?

Mr. ADAMS. Well, I think it is true that there are large collections, but the importance of those collections in many respects is precisely that they are large, that they do offer opportunities for scholarly study which can look at the variations in the way in which a particular tool is made or something is depicted in art or whatever so that the size of the collections is not an indication of waste, but rather an indication of quality, to be honest with you.

Now, having said that, I am enthusiastic about the idea of making those collections work and making them move in such a way that the people of this country can become familiar with them, and in particular so that we can see something come out of this in terms of a cultural renaissance of the descendants of the people who made them.

So, I am certainly not meaning to oppose at all the notion that we should be designing exhibits that are focused on different questions and that are moving all the time, and at the same time I don't mean to indicate that we ought to break up the great national collections.

Senator DOMENICI. My concern is not that they are large, but rather that the backlog is getting so enormous that we are apt to lose the enthusiasm for continuing. And that bothers me and I don't want to see that happen. I don't want to go on with this because we have got a lot of New Mexican witnesses.

Let me just say to the Park Service people, I am very hopeful now that you can get your Zuni report in—you didn't have enough time—and that on most of these issues we can sit down together and attempt to resolve them. You are not currently in favor of all

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of them, and maybe we need some compromise in working together. But I am hopeful we can do that. We look forward to trying to accomplish that with you very soon.

Thank you, Mr. Chairman.

Senator BINGAMAN. Thank you.

Let me also just once again thank the Park Service and the Smithsonian, Secretary Adams, for coming here today. I know that all of you are committed to trying to help with the same things that we are trying to do in this legislation, and we appreciate your hard work on the issues.

We will just go ahead with the second panel at this point: Gov. Robert Lewis from the Pueblo Zuni; Tom Merlan, who is the State Historic Preservation Officer for the State of New Mexico; Colonel Herbert Hart, who is President of the Council of America's Military Past; and Bruce Craig, the National Parks and Conservation Association. If each of them would come forward, this will be the second panel.

We welcome all of you. I will just repeat for purpose of the record here what I said. I'm not sure all of you were here when we began the hearing, but what we need to do is to urge everybody to try to summarize his statement. I think that if you could take three to five minutes and give us the high points of your statement. And then both Senator Domenici and I will have some questions.

Governor Lewis, why don't you begin, if you would please?

STATEMENT OF HON. ROBERT E. LEWIS, GOVERNOR, PUEBLO OF ZUNI, NM, ACCOMPANIED BY STEVEN BOYDEN, ATTORNEY, ZUNI TRIBE

Governor LEWIS. Thank you, Mr. Chairman.

Before I go into my statement, I would like to introduce our tribal attorney, Mr. Steven Boyden, who is with me to my right today.

My statement, Mr. Chairman, is very short, and I would like to read it.

Senator BINGAMAN. That's fine.

Governor LEWIS. Mr. Chairman, my name is Robert E. Lewis, and I am the Governor of the Pueblo Zuni in New Mexico. I thank you and the members of the committees for allowing me time to present our statement on S. 2162, the Zuni-Cibola National Historical Park Establishment Act of 1988.

In 1965 the Zuni tribal council decided to make a house-to-house, family-by-family skills survey and at the same time ask the community members what they wanted their tribal council to do in their behalf for reservation-wide and community development. Among the 100 and some comments received was the request to develop the old pueblo of Hawiku where the Spanish explorer Coronado first contacted the Zuni people in 1540 as a tourist attraction.

Based on this request, the tribal council, with the interest and endorsement of the National Park Service and the Bureau of Indian Affairs, decided to plan on the development of four ruins, two historic and two prehistoric and call it the Zuni-Cibola Historic

Park to share our history with the general public, as well as preserve our cultural history for our younger generations.

In the early 1970's, legislation was readied to introduce to Congress. However, it did not get that far so the plan has been on the shelf since then. Now, after 20 years, our New Mexico Senators and Representative are introducing the plan through their bills, for which the Zuni people are thankful. This is the culmination of many years of hoping on the part of the my people to realize their desire of having a well-established system of tourist control. Our reservation has so many ruins that it is enticing to pot hunters.

The Zuni Tribe has 99 year leasing authority under 25 CFR 162.8(a), and the original plan will still be observed regarding the lands that are related to each area, which is for a no-cost, long-term lease.

The passage of this bill and the creation of the proposed park will enable the Zuni Tribe to move into implementing another request of the people, that of building a museum. The vast amount of research material that has been obtained in our land claims cases needs to have a decent place to house these documents. Artifacts that can be negotiated for return to Zuni from different museums will be worked out and the site for such a facility will be determined later.

We sincerely urge your earnest consideration of S. 2162 for passage and again thank you.

Separate and apart from this act, the Zunis have been in the process of acquiring title to their sacred shrine area Kolhu/wala:wa on which I would like our tribal attorney, Mr. Steve Boyden, to speak on briefly to you.

Thank you.

Senator BINGAMAN. Thank you. We will hear from Mr. Boyden now if you have additional comments.

STATEMENT OF STEVEN BOYDEN, ATTORNEY, ZUNI TRIBE

Mr. BOYDEN. Thank you very much, Mr. Chairman. It is a pleasure for me to be here. I have been attorney for the Zuni Tribe for over 15 years.

They have been here on several occasions and have received some very special help in trying to accomplish some tribal goals. They asked for the return of the Zuni Salt Lake and also the Zuni Heaven area. And also they have asked that they be able to file a land claims case against the United States for lands that were taken.

This litigation has produced a large collection of exhibits, both documentary and physical exhibits such as ceramics. It is evident that the Zuni people are in need of a museum on the reservation where this documentation and the vast cultural heritage that they have can be displayed for their own people. It is kind of a paradox that the largest single collection of Zuni artifacts does not lie in New Mexico, but is in New York and secondly here in Washington, D.C. and unavailable for the great majority of Zuni people to observe. And so, it would be hoped that with this legislation we could make this vast material collection of their heritage available to individual Zuni Indians.

I would like to direct your attention particularly to section 3 of the act which talks about the acquisition of land and suggest a proposed amendment to that which would perhaps take some of the difficulties some people have with this act out.

The first problem that they have with it is that it is an open number there. It is a blank space, "and not to exceed blank acres." We don't know how many acres will be required. And I just have a suggestion for some language. It could read: "The Secretary of the Interior is authorized to approve the National Park Service leasehold interest in and to such trust lands of the Zuni Indian Reservation which are necessary and adequate to carry out the purposes of this act as determined jointly by the Zuni Indian Tribe, the Bureau of Indian Affairs, and the National Park Service." That's a suggestion. That would involve the three entities that are there on the reservation. And I think working together, that would allow them to delineate sufficient areas to carry out the purposes of the act.

The other thing that I was going to mention that is still undone, and that is the Zuni Heaven acquisition. We understand that the Zunis were here long before Coronado came. And when Coronado first came and made contact with the indigenous population of North America, the first people he met was a delegation of Zuni Indians who were returning from a pilgrimage to Zuni Heaven. And that is recorded by the chroniclers with Coronado. And it was shortly thereafter that the big battle of Hawiku took place, which is one of the areas that would be included in the national park.

The Zunis have traveled back and forth there since time immemorial, and that area has still not been returned in its entirety. And I believe that there are six sections that are still outstanding which the Secretary has read to be discretionary, which ought to be mandatory so that we can get that concluded. The Zuni Tribe is in no position to buy them because they have no money. But we think a land trade would be appropriate.

I have no further comments. Thank you very much.

Senator BINGAMAN. Thank you very much.

Before we go on to the next witness, let me just ask if Dr. Jerry Brody, who is here from the University of New Mexico—he has a plane that is going to be leaving here a little later this afternoon. If he would come up and join this panel, we would take his testimony when we are through the witnesses who are already up here. If you would just take a chair down here at the end please.

Our next witness is Tom Merlan, who is the State Historic Preservation Officer for the State of New Mexico. And, Tom, why don't you go right ahead. We are going to listen to the entire panel and then we will have questions.

STATEMENT OF TOM MERLAN, STATE HISTORIC PRESERVATION OFFICER, STATE OF NEW MEXICO

Mr. MERLAN. Thank you, Mr. Chairman. I am very happy to be here today in support of Senate Bills 1593, 1693, 1912, 2157 and 2162.

Our program conducts comprehensive surveys of prehistoric and historic properties on all classes of lands in New Mexico. For example, we have conducted surveys at Zuni by the simple means of

granting the necessary money to the Zuni archaeological program. We evaluate sites. We put sites on our state register of cultural properties. We nominate sites to the National Register of Historic Places, which is under Mr. Rogers' jurisdiction, and we seek means to preserve and interpret and use and enhance sites. And those means are quite various, grants, loans, tax credits, protection by local ordinance, public acquisition and administration and other mechanisms too.

Our program assumes that most sites will remain in private ownership. Our program is based on the knowledge that sites have to justify themselves, that they have to form a part of New Mexico's economic base. It is based on the knowledge that after mineral extraction, tourism and related endeavors are New Mexico's biggest industry.

We do not assume that sites should be acquired by the public. But there are cases in which that appears to be the only viable alternative or in which other alternatives have already been exhausted. And that is the unifying theme, of course, in this legislation, the idea that public intervention is necessary and is critical. I entirely agree.

The site of the Battle of Glorieta is in multiple private ownership, as you know. It has no legal protection at all except a covenant that we executed with a willing landowner several years ago, a covenant to preserve three acres as open space. The Confederate burials which were found on the battlefield had no legal protection at all. The attorney general determined that that was not by legal definition a cemetery. It was nothing legally. Those bodies were so much cordwood. If the owner had decided simply to remove them and dispose of them in any way he saw fit, he could have done it. He was gracious enough to cooperate. But I am just pointing up the problem that exists.

The Cibolan sites that are referred to in Senate 2162, of course, are publicly held now. They are held by the Zuni Tribe. But that proposal recognizes a very important fact, that numerous archaeological sites of national monument quality belong to Indian tribes. And there is a powerful logic in encouraging those tribes to preserve and protect and interpret those sites in partnership with the Department of the Interior, in partnership we hope with the State of New Mexico, to use those sites to reinforce the tribal identity while also assisting tribal economies. We are very much looking forward to cooperating in that endeavor.

San Gabriel, the site referred to in Senate bill 2157, is an example of the very same logic. It belongs to San Juan Pueblo. It is an allotment held by Mrs. Nick Salazar. And if it is going to be preserved and interpreted, it can only be with the assistance and cooperation of San Juan Pueblo.

Senate bill 2157 also identifies Los Luceros. Judging from the archaeological evidence, that site has been continuously occupied since around the beginning of the 17th century. It has a very rich and complex history, and it is also gravely threatened right now by encroachment by commercial development. The proposed legislation may be our last opportunity to save that site.

Senate bill 1912 deals with one of the most severely threatened groups of sites in the United States, the Mimbres sites. We have

struggled with this problem for years. I don't think there is any possibility that those sites or any representative group of those sites can be saved without public intervention.

Let me add two things. The first has to do with money. As the gentlemen know, the National Conference of Preservation Officers is recommending full funding of the National Historic Preservation fund this year; that is $150 million, the amount specified in the National Historic Preservation Act. Out of that New Mexico might get $2 million, $2½ million.

If we received it for the full array of purposes specified now in the law for survey, for identification, for evaluation, for acquisition, and interpretation of sites, that money could be used now, for example, to assist the private, nonprofit organization to acquire Los Luceros and to hold that site safe until and unless the Park Service decided to bring it into public ownership. That money could be used now in the form of a grant to the Zuni Tribe to acquire some of the important Cibolan sites that we have identified in the greater Zuni culture area, that is outside the reservation, sites which are definitely associated with Zuni. The sites I'm referring to, the ones we have just recently identified, are privately owned. Some of them are in beautiful shape. They are large and extremely important sites. But we could assist the tribe to acquire them. That is just by way of example.

We could also do some of the studies and surveys which, if we don't do them for lack of money, will have to be done by the Park Service. When we carry out these studies, these surveys, when we assist in acquisition, all the money has to be matched. The public acquires these services and these resources at half price. We can stretch those dollars remarkably far.

I just wanted to mention that because that funding enables us to cooperate with the National Park Service. It enables us to cooperate with the tribal governments and with other governmental entities to solve or at least to approach many of the problems that are being talked about here today.

And finally, I want to mention the much-vexed problem of pot hunting and vandalism and of grave robbery, which Jerry Rogers referred to. My priority for the next session, the long session of the New Mexico legislature that will start in January of next year, is to obtain some legal protection for those sites which now effectively have no protection at all. And that protection will probably take the form of an amendment of our burial statute. Our burial statute is very ethnocentric. It says, in effect, and according to the attorney general's recent interpretation, the one that was made in connection with the Confederate burials at Glorieta, that only an area that is proscriptively used as a cemetery has any protection. Native American burials, in effect, prehistoric burials have no protection at all.

It would be a relatively simple matter, technically simple matter, to revise that statute to afford that protection and to put us at least on the road to a solution of this vexing problem and this national disgrace, and that, as I say, is going to be my priority. I thought I would take this opportunity to mention it and to say that I will have to call on concerned leaders including, of course, the Pueblo leaders to help me with that because there is also strong

opposition to the idea, and we may very well get dumped. And if we do, we will try again.

Thank you.

Senator BINGAMAN. Thank you very much.

We have another vote in progress. We need to go. We will take about an 8 or 10 minute break if we could.

[Recess.]

Senator BINGAMAN. Mr. Brody?

STATEMENT OF JERRY BRODY, PROFESSOR, DEPARTMENT OF ART AND ART HISTORY, UNIVERSITY OF NEW MEXICO, ALBUQUERQUE, NM.

Mr. BRODY. Thank you, Senator Domenici. I want to thank you for the opportunity to testify in support of Senate bill 1912, to establish a national Mimbres museum in Silver City, NM. I also want to thank all of you, the members of this panel in particular, for the opportunity to get to the airport in time to make a flight that will undoubtedly be late.

I have been a student of the art and culture of the ancient Mimbres people for many years. I have written books about them and their art. And I believe that there is a real need for the kind of institution that is sponsored in S. 1912.

To begin with, let me summarize the little that we know about the Mimbres people and their culture. They were farmers who lived in the Mimbres Valley of southwestern New Mexico, which is something of an oasis at the south end of the Mogollon Mountains. There were never more than a few thousand of them living in perhaps 50 or 100 villages between about 200 A.D. and 1150.

They were unremarkable except for one compelling thing. From about 900 to 1150, they made art on pottery which is incredibly powerful stuff. And their paintings are, in fact, data. Their paintings are facts that probably tell us more about the character of an ancient people, about their values, about what they were all about than almost anything else one can imagine.

When the Mimbres people stopped making their art, we lose touch with them. They disappear as a cogent group. We touch these people through their art. They really were human beings, and they were so human and we know so little about them that it becomes important for us to learn more.

It is worth noting the reaction that our world has had to the Mimbres from the time that their art was rediscovered at about the turn of the 20th century. In 1914 J. Walter Fewkes of the Smithsonian Institution practically rushed out to Silver City almost immediately upon receiving photographs of Mimbres art from a Deming rancher. Fewkes collected some new pieces himself, bought others, and was instrumental in placing several hundred Mimbres pots, paintings in the collections of the Smithsonian and the Museum of the American Indian in New York. Thousands of other examples were excavated over the following two decades for, among others, the Harvard Peabody Museum, the University of Minnesota and the Minneapolis Institute of Art, the Southwest Museum in Los Angeles, Beloit College in Wisconsin, the British

Museum, Musee de'l'Homme in Paris, the Royal Scottish Museum in Edinburgh, other foreign museums, and for the foreign market.

Few archaeological cultures, particularly in the United States have been looted as thoroughly at the Mimbres. One impact of the proposed legislation will be to assist in the protection and the preservation of Mimbres archaeological sites and of Mimbres art.

A few years ago, the American Federation of Arts organized a traveling exhibition of Mimbres art that was seen by about a million people in the United States. It was reviewed impressively. It made a very great impact upon the people who saw it.

Through all of this, with more than 7,000 Mimbres paintings on pottery that are in public and private collections, most of them most of the time are kept in storage and unavailable except to members of the scholarly community. There is no place, nowhere, where one can see and study the remarkable art of these remarkable people. We badly need one place, one center, one decent permanent exhibition space where we can share the art of this ancient American Indian civilization which is now a part of our human heritage. I can think of no place better than in the original Mimbres homeland.

Thank you.

[The prepared statement of Mr. Brody follows:]

My name is Jerry Brody, and I am a professor of art and art history at the University of New Mexico in Albuquerque where I am also Research Curator and one-time Director of the Maxwell Museum of Anthropology.

I want to thank you for the opportunity to testify is support of the bill S, 1912 introduced by Senator Bingaman to establish a National Mimbres museum in Silver City, New Mexico.

I have been a student of the art and culture of the ancient Mimbres people for many years, have written books about them and their art and can assure you of the real need for such an institution.

To begin with let me summarize the little that we know about the Mimbres people and their culture. They were farmers who lived in the Mimbres valley of southwestern New Mexico which is something of an oasis at the south end of the Mogollon mountains. There were never more than a few thousand of them living in perhaps 50 or 100 villages between about 200 A.D. and 1150. They were unremarkable except for one compelling feature. From about 900 to 1150, they made

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art on pottery which is incredibly powerful and probably tells us more about the character of an ancient people, their values, what they were all about, than almost anything else one can imagine. When they stopped making that art, we lose touch with them. They disappear.

We can touch these people through their art. They really were human beings, and they were so human and we know so little about them that it becomes important for us to learn more. It is worth noting the reaction that our world has had to the Mimbres from the time their art was rediscovered at about the turn of this century. In 1914, J. Walter Fewkes, of the Smithsonian Institution rushed out to Silver City almost immediately upon receiving photographs of Mimbres art from a Deming rancher. Fewkes collected some new pieces himself, bought others and was instrumental in placing several hundred Mimbres pots in the collections of the Smithsonian and the Museum of the American Indian. Thousands of other examples were excavated over the following two decades for (among others) the Harvard Peabody Museum, the University of Minnesota and the Minneapolis Institute of Art, the Southwest Museum in Los Angeles, Beloit College in Wisconson, and for the private market. Few archaeological cultures have been looted as thoroughly as the Mimbres.

Mimbres pots are in the British Museum, the Musee de' l'Homme in Paris, the Royal Scottish Museum and many other foreign collections.

A few years ago, the American Federation of Arts organized a traveling exhibition of Mimbres art that was seen by about one million people throughout the US. It was reviewed impressively. Through all of this, with more than 7,000 Mimbres painting in public and private collections, most of them most of the time are kept in storage and unavailable except to members of the scholarly community.There is no place, no where, where one can see and study the remarkable art of these remarkable people. We badly need one place, one center, one decent permanent exhibition space, where we can share the art of this ancient American !ndian civilization which is now a part of our human heritage. I can think of none better than in the original Mimbres homeland.

Senator BINGAMAN. Thank you very much. I know you have to leave very quickly. Perhaps we could just ask a few questions of you before we go on with the rest of the panel so that you could leave and make your plane. Let me just ask you two questions, and then Senator Domenici may have some questions.

You have served as a director of a nationally acclaimed museum. In your opinion, if we were to establish a facility like this legislation contemplates, what would be the opportunity to attract other collections through donation or otherwise to be housed in such a facility and also preserved?

Mr. BRODY. Senator Bingaman, I think that there is no question but that people in the Mimbres Valley, in Silver City, in the Deming area would happily donate privately held collections of Mimbres art to a certain institution.

I think also that there is at least a possibility and possibly more than a possibility that some collections of Mimbres materials that are documented, archaeologically excavated collections, that are now in public institutions that are well outside of the Mimbres area could be convinced to either turn over ownership altogether or at least place the collections in this kind of an institution.

Senator BINGAMAN. What about the condition of Mimbres sites at the present time? Could you describe that briefly and also say anything you could about what could still be done to preserve and interpret those sites.

Mr. BRODY. Many of the major Mimbres sites are in deplorable condition. They have been terribly pot-hunted. Some of the major, major sites no longer exist. They have been bulldozed out of existence.

Nonetheless, there is I suspect a considerable number of sites that have been vandalized which are salvageable for future interpretive or research purposes. I think that this was demonstrated quite clearly during the course of the last decade or so by Steven LaBlanc and other people with the Mimbres Foundation who went into sites that have been badly vandalized and, in effect, began to work systematically from the point where vandalism stopped and were able to recover a relatively large amount of information. There are sites in the Mimbres Valley and adjoining areas that have been protected over the years by caring private owners.

Senator BINGAMAN. Senator Domenici?

Senator DOMENICI. I just had one question. With reference to the feasibility study that is before us, I think we have in mind doing a thorough analysis of how the university there, Western New Mexico University, might relate with reference to its work to the permanent location of Mimbres cultural pottery and paintings that are around the country and around the world. I assume you support the notion of exploring that relationship in terms of the overall feasibility?

Mr. BRODY. Absolutely, sir. There are important collections of Mimbres materials, including important documented collections, at a number of public institutions in New Mexico. Western New Mexico certainly has a lot of materials. The University of New Mexico has a lot of materials as well, so does the Museum of New Mexico. With the exception of Western New Mexico University, however, there is no public institution that I'm aware of in New

Mexico that can commit itself to the study of the Mimbres culture the way that Western can.

Senator DOMENICI. Well, I personally think that is a very good marriage. I think the small university is a tremendous asset to the community, and if we can build on it in this way, I think we surely ought to encourage it.

Mr. Chairman, I am going to have to leave the hearings to attend a preliminary markup in another matter. And I want to thank you for the hearings and thank all the New Mexicans who are here. Governor Lewis, it is great to see you again, and I'm not sure that I'm going to have a chance to inquire of the city manager or Mr. Brown, the country commissioner, or the director of the museum at Western. But I want to say to them that we are certainly interested in the record, and if we have any questions, we will submit them to them in writing. And I thank you all very much. Thank you.

Senator BINGAMAN. Thank you for supporting participation here.

Dr. Brody, why don't you go ahead and make your plane. Thank you very much for coming and testifying.

Let's go forward with the rest of the panel. Colonel Herbert Hart, who is President of the Council of America's Military Past, would you go ahead please?

STATEMENT OF COL. HERBERT M. HART, USMC (RET.), EXECUTIVE DIRECTOR, COUNCIL OF AMERICA'S MILITARY PAST, FORT MEYER, VA

Colonel HART. Thank you, sir.

I would like to correct the record. I am not the unpaid president of CAMP. For the last 17 years, I have been the unpaid executive director.

Senator BINGAMAN. Well, we will correct the record accordingly.

Colonel HART. Three years ago several hundred members of the Council on America's Military Past trod the two sites of the Battle of Glorieta, the High Water Mark of the Confederacy in New Mexico and in the west. We were attending CAMP's 19 Annual Military History Conference that happened to be in Santa Fe that year. This was the final day of the 3-day meeting, and we had just spent the morning listening to a presentation on the Battle of Glorieta. We spent a good portion of the afternoon at the actual battlefields. We were impressed with the significance of the battle, and we were impressed with the appearance of the battlefields. Both, we were assured, were virtually unchanged from the days of the battles in 1862.

But, we were warned, developers were looking at the properties for residential and investment purposes, the city of Santa Fe being only a few miles away. We recognized that unless significant steps were taken to protect the battle areas, soon they would be gone forever.

Why should we and the U.S. Congress be concerned?

As so-called great battles are judged, what took place at Glorieta could hardly qualify from such factors as numbers of combatants, strategic movements of significant forces, or even the duration of sieges or exchanges.

What does qualify the campaign for greatness, as Mr. Bearss point out earlier, is its strategic importance. It stopped the Confederate drive toward the Pacific and toward Colorado's silver mines, to new lands that could be added to proslavery geography and to the military stores of the western army. It dealt a defeat to the Confederates early in the war at a time they could least afford one, and it gave the Union a much-wanted victory. And with the threat to the west minimized, Federal forces could be shifted to the battle areas of the east.

When the Confederates reached the end of their Western adventure with the Battle of Glorieta, they were at extreme high tide. Their defeat has been termed, as we heard earlier, the "Gettysburg of the Confederacy in the West. '

Seldom do we have the chance to preserve battlefields that appear today much as they did at the high point of their history. Only last summer an accident exposed the skeletons of the Confederates buried at the battlefield. Hopefully, these skeletons will be permitted to rest where they fought to be honored for the sacrifices that they gave. Their presence will contribute to the historic fabric of this site, a site where the Confederate hopes for the west were ended.

The Council on America's Military Past urges passage of this bill that would bring these sites into the National Park Service.

Thank you.

Senator BINGAMAN. Thank you very much.

Our final witness on this panel is Mr. Bruce Craig with the National Parks and Conservation Association. We are glad to have you here.

STATEMENT OF BRUCE CRAIG, CULTURAL RESOURCES COORDINATOR, NATIONAL PARKS AND CONSERVATION ASSOCIATION

Mr. CRAIG. Thank you.

Our association appreciates the opportunity to testify on two bills today: 2162 for the Zuni-Cibola national historic park, and also 1593 for the Glorieta park. The statement is submitted for the record, and I'll just simply summarize the highlights of our comments.

As you and probably Senator Domenici know, the National Parks and Conservation Association has just finished our comprehensive assessment of the National Park Service, Investing in Park Futures: The National Park System Plan. And our plan does include both of these areas as unique and special areas that deserve to be established within and placed into the national park system.

We support the enactment of both of these bills. And what I would like to do is just focus on a couple of things on the Zuni-Cibola bill first and then go on and talk a little bit about Glorieta.

Zuni is one of the most durable and richest Indian cultures in North America, and certainly this legislation, when enacted, will be one of the few, but hopefully not the last, of the national historic parks that are located entirely within Indian lands. At Zuni, as well as other trust lands, there is the unique opportunity for the Indian people to share their history and heritage with the rest of the American people.

MPCA believes that this legislation deserves the full support of Congress and the administration for several reasons. First, the integrity of these sites that are identified for inclusion in this historic park is very well-documented.

Secondly, there is no National Park Service area where a continuum of the magnitude of the Zuni culture is exhibited. The only site in the Southwestern United States that illustrates the theme "Indian Life at the Time of Contact with the European" is Pecos National Monument, and no southwestern site illustrates other themes that are identified in the national park system plan such as native villages and communities or contemporary living cultures. Therefore, clearly, the additional of Zuni-Cibola will fill a thematic gap which presently exists within the national park system.

Third, all these areas that have been suggested to be included within the boundaries of this historic park are national historic landmarks, and we are pleased to see this legislation makes specific mention of those areas that are landmarks as being central to the park concept.

Fourth, purely on an economic basis, we think that this legislation makes very good sense. Zuni-Cibola requires no Federal expenditure on land acquisition. There are no private lands that need to be purchased. All the lands are specifically authorized to be acquired only through donation. Therefore, when it is estimated that only $250,000 will be needed to administer this site on an annual basis, we think it is a pretty good deal. It's a small amount of money especially when you consider the impact that the establishment of this park will have on the promotion of economic growth and increasing educational and social opportunities for the Indian community. It makes good sense to enact this bill.

Our only comment that focuses on the legislation specifically has to do with section 7 that deals with the general management plan. We feel that there is the opportunity and truly the necessity for the National Park Service to aggressively pursue and affirmative action plan here. We feel that there should be preference given in hiring to the Zuni, in particular for the Zuni superintendent. And I know we heard a little bit of testimony earlier talking about the Indian preference authority that exists. There is another hiring authority that I think staff should look into which is the local hiring authority which would also allow Zuni to be hired rather than any other individuals or groups.

We also fully support the advisory commission approach. We think that this is a very fine way to go about managing and administering the national historic park.

As far as Glorieta, the historic significance of the site really cannot be questioned. We do concur with the National Park Service's belief that this area should be designated as Glorieta National Battlefield rather than as a national historic site.

We would also like to point out that we don't think that the National Park Service really needs to have another commemorative Civil War site. What we think is important is that the boundary be established large enough to establish and preserve a meaningful park unit. Therefore, what we are recommending at least is to strike the word "commemorate," which is in section 1, line 4, and insert the word "protect" in its place.

One of the suggestions that we have, as far as setting the boundary here, is to consider looking at the mountainous terrain over which Union Major General John Chivington traveled. This we feel is a good area that could be incorporated to protect the historic scene as well as it could be conceivably developed as a hiking trail for park visitors.

The final issue that I would like to mention has to do with the acquisition of the lands. We note that right now that these lands are not supposed to be acquired in fee, but only by donation. We think that acquisition in fee simple really is an authority that should be given to the National Park Service in this case because when you are dealing with over 30 individual landowners, it makes it very difficult to establish and administer an historic site in any type of timely manner.

One final thing. We have been talking a little bit about the cultural heritage that is endangered. I know that there has been some controversy as to whether the remains of the Texans that were found in the mass graves should be returned to Texas for interment or buried in New Mexico. We believe that the report language should clarify this issue if at all possible. We believe that the remains should be reinterred where they were found on the battlefield, and we also believe that American war dead should not be retained as cultural resources in park museums or in park storage. And we suggest language to this effect be included in the bill.

That pretty much is what I have to say. If you have any questions, I'll be glad to try to answer them.

[The prepared statement of Mr. Craig follows:]

STATEMENT OF BRUCE CRAIG
CULTURAL RESOURCES COORDINATOR
NATIONAL PARKS AND CONSERVATION ASSOCIATION

Before the
SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS
On S. 2162 (Zuni-Cibola National Historical Park) and
S. 1593 (Glorieta Battlefield N.H.S.)

March 24, 1988

My name is Bruce Craig, Cultural Resources Coordinator for the National Parks and Conservation Association, a nonprofit membership organization founded 69 years ago. Through our organization's diverse activities, we seek to promote the preservation, protection and public understanding of our nation's National Park System.

Our Association appreciates the opportunity to testify on S. 2162 legislation establishing Zuni-Cibola National Historic Park and S. 1593, legislation which designates the site of the Glorieta Battlefield as a National Historic Site. We commend Senators Bingaman and Domenici for introducing these bills. We are pleased to support both of these legislative efforts.

As you may know, National Parks and Conservation Association recently completed its multi-year assessment of the National Park System. Our study, Investing in Park Futures: The National Park System Plan, A Blueprint for Tomorrow, recommends inclusion of both Zuni-Cibola and Glorieta Battlefield as units of the National Park System. While we support enactment of both bills, we do have some suggestions for strengthening provisions of both bills and would like to offer comments for report language.

Zuni-Cibola National Historical Park

For over eight years, National Parks and Conservation Association has been supportive of the establishment of a Zuni-Cibola Historical Park. Without a doubt, Zuni is one of the most durable and richest Indian cultures in North America. The abundance of physical evidence associated with the Pueblo of Zuni--archeological sites, ruins, sacred lands, as well as the ancestral context for an evolving living culture---spans nearly 2,000 years and forms the framework for today's living Zuni culture. Nowhere in the national park system is there a continuum of this magnitude.

As Senator Jeff Bingaman stated when introducing this bill, "This legislation exemplifies a new spirit of cooperation between the Federal government and the Indian people." We totally agree. When enacted, Zuni-Cibola will be one of the few, but hopefully not the last, national historical park located entirely on Indian lands. At Zuni as well as at other trust areas, there are unique opportunities for the Indian people to share their history and heritage with the rest of the American nation.

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NPCA believes this legislation deserves the full support of the Congress and Administration for several reasons. First, the integrity of the sites identified for inclusion in this historical park are well documented. Zuni has been recognized as one of the major regional expressions of the Anasazi culture and today remains one of the major centers for ethnological studies in the United States. After conducting a thorough study of the area, both the Secretary of the Interior and the National Park Advisory Board endorsed the proposal for Zuni-Cibola as "the most viable means for preservation and interpretation of the Zuni culture."

Second, we believe there is no National Park Service area where a continuum of the magnitude of Zuni culture is exhibited. The only site in the Southwestern United States that illustrates the theme "Indian life at Time of Contact with European" is Pecos National Monument; no Southwestern site illustrates the National Park System Plan: History themes "Native villages and communities" or "Contemporary living cultures". Clearly the addition of Zuni-Cibola will fill a thematic gap that presently exists in the National Park System.

Third, Hawikku, Ketchiba:wa, Yellow House and the Great Kiva, are all National Historic Landmarks. The landmarks as well as the hundreds of prehistoric and dozens of historic sites that dot the reservation were studied by the National Park Service in 1980. We are pleased to see that these National Historic Landmark sites are central to the park concept embodied in this legislation.

Fourth, on an economic basis, this legislation makes sense. Zuni-Cibola requires no federal expenditure on land acquisition; there are no private lands that need to be purchased; all lands specifically authorized are to be acquired only through donation. Furthermore, it is estimated that only $250,000 will be needed to administer this site on an annual basis. This is a small amount of money, especially when one considers the impact that the establishment of this park will have on the promotion of economic growth and increasing educational and social opportunities in the Indian community.

NPCA is particularly pleased to see provisions in this act, such as the provision in Section 7, to include in the General Management Plan proposals for training Indian peoples in the fields of interpretation, management and museum curation. We suggest report language be included affirming the National Park Service's responsibility to aggressively pursue an affirmative action plan where members of the Pueblo of Zuni will receive priority hiring preference to fill vacant positions within the park.

We strongly support the establishment of the Zuni-Cibola Advisory Commission. We believe that this Commission should not only have the authority to consult with the Director of the National Park Service on planning, management and administration, but also the bill should include a provision requiring the National Park Service to give preference in hiring to the Zuni, including a Zuni Superintendent. The National Park Service should be authorized and funded to train Zuni in NPS policy, management and procedures.

Glorieta Battlefield:
Section 1. Establishment of Historic Site
The battle of Glorieta Pass, which occurred March 26-28, 1862, is considered by historians as the most important Civil War battle fought in New Mexico and a pivotal battle in the Confederacy's attempt to gain control of the west. Nearly 450 acres in the vicinity of Glorieta Pass have been listed on the National Register of Historic Places. The area has also been designated as a National Historic Landmark. The historical significance of the site is well established.

When compared with the great battles of the east---Antietam and Gettysburg to name but two---what seems at first glance to be a small skirmish in New Mexico actually had important ramifications for the Confederacy. After the battle, with their supply trains destroyed, the Confederates were forced to retreat down the Rio Grande back into Texas. After this unsuccessful foray into New Mexico, the Confederates abandoned hope of capturing the rich silver mining fields of Colorado. They also failed to gain any new territory in which the institution of slavery could be expanded.

NPCA believes that the national significance of this site needs to be adequately recognized. One way to recognize its significance is to give the area a name more descriptive of its significance. We suggest this proposed unit of the National Park System be designated as Glorieta National Battlefield rather than Glorieta Battle National Historic Site.

Furthermore, the National Park System does not need another "commemorative" Civil War site. The Glorieta battlefield is a resource of national historical significance and deserves to be established with a boundary large enough to establish and preserve a meaningful park unit. Consequently, we recommend striking the word "commemorate" (Section 1 line 4) and insert the word "protect" in its place. We also suggest striking "historic site" in line 8 and insert "Battlefield" in its place.

This battlefield should be established with a large enough boundary to protect not just the immediate field of battle, but sufficient adjacent lands to protect the historic scene as well. We feel the boundary should include lands in the vicinity of the two important ranches on the historic Santa Fe Trail which are associated with the battle: Johnson's ranch site near the mouth of Apache Canyon (significant for its association with the battle of March 26 and 28) and Pigeon's ranch, including nearby overlooks (significant for its association with the battle of March 28).

NPCA also believes some consideration should be given to preserving the mountainous terrain overwhich Union Major John M. Chivington travelled on March 28, 1862 on his way to the Johnson's ranch where he found and destroyed the Confederate supply depot. When the wagons were destroyed the Confederate New Mexico campaign came to its conclusion. Inclusion of these lands within the boundary would not only contribute to the preservation of the historic scene but conceivably could be developed as a hiking trail for park visitors.

We have had the opportunity to examine the specific National Park Service boundary recommendations as well as the National Register of Historic Places nomination form, which outlines the location of areas of significant battle action. We feel that a minimum acreage needed to preserve the integrity of the

battlefield is 750 acres. Not all of these lands need be acquired in fee; scenic easements and other preservation methods conceivably may be sufficient to preserve much of the battlefield site and historic scene. But no matter where the final boundary lines are drawn, the National Park Service should be given full authority to acquire lands including acquisition in fee simple; to limit acquisition to a willing buyer/willing seller basis, when there are over thirty individual landowners, makes it difficult to establish and administer a historic site in a timely manner.

Section 2 Administration
One issue of great concern to us which is not addressed in the bill is the question of reinterment of the remains of war dead that are likely to be found within the legislative boundary of the unit. Already a mass grave of thirty some Confederates has been located and excavated by the Museum of New Mexico. These remains have scientific value which systematic forensic examination (including an analysis of battle wounds and diseases) and analysis of associated personal belongings is likely to reveal.

While there is some controversy as to whether or not the remains of the Texans found in the mass grave should be returned to Texas for interment or buried in New Mexico, we believe the bill should clarify the issue of disposition of other such remains that may be found within the unit's legislative boundary in the future. NPCA believes that such remains should be reintered where they were found on the battlefield or they should be reintered in a National Cemetery; there is such a cemetery in Santa Fe. We believe that American war dead should not be retained as "cultural resources" in a park museum storage. We strongly suggest language to this effect be stated in the report.

Mr. Chairman that concludes my testimony. I would be pleased to answer any questions that you may have.

Senator BINGAMAN. Let me ask two questions of the panel. First, I have a question for Governor Lewis. I understand the Zuni Pueblo has had an active archaeological program now since the early 1970s. And I have discussed with you just in passing the need for increased training opportunities for Indian people in cultural resource management. The Secretary of the Smithsonian referred to this in his comments as well, the importance of getting more Indian people involved.

Could you describe what kind of a program the Zunis do have relevant to archaeology and how you care for artifacts that are found there at the Zuni Pueblo and also your thoughts about any training program that would be useful?

Mr. LEWIS. Senator Bingaman, we have had this program only going since the early 1970s because at that time we were getting more and more into requiring archaeological clearances for homesites and other construction work. And originally we depended much on the archaeologist of the Bureau of Indian Affairs. And there was only one person at the area office in Albuquerque, and he had all the reservations to cover. And sometimes we just couldn't wait that long for him to come and give us the clearances we needed. So, we decided that we should start an archaeological department of our own, training our own people under expert supervision. And this has been ongoing since then.

It is a self-sustaining organization. Right now they are on contract with the Navajo Tribe up in one of their areas, and they have done work also on other pueblo lands where clearances had to be made and salvage work to be done. But we feel that this is a boon to any tribe that can set up an organization of this type because there are so many areas that need to be given clearances not only on reservations, but off reservations.

Training these people to be knowledgeable enough to go out on their own has become real evident. And we agree with Mr. Adams that we need to continue this training. The artifacts that are found on our reservation by this department are given careful checking and they do not have ample space to keep these things. Fortunately, there hasn't been that much just off our reservation, but we need to train curators or our people who can definitely do the work of that type. It would take some time. But we can all I think agree that this type of training is very important.

And we are proud of our archaeological department, and we have something like seven or eight who are good enough to carrying on that type of work that have been trained during these past years.

Another is in training archivists because we have so many documents now and we have no place for them. That is the reason why we feel like museums are very important for any tribe to have, maybe small or however they could arrange to keep their artifacts and documents and things like that that are so important as records of the past to have for younger generations and for research work.

Senator BINGAMAN. Well, thank you very much. Let me ask one question of Tom Merlan, and then I'll have to ask the panel to go and ask the third panel to come forward.

Could you make just a general assessment, if you would, for us about the condition of the historic and archeological sites in New

Mexico? Are we doing what we need to be doing in a general way, or is this something that we are way behind on?

Mr. MERLAN. In general, the condition is bad. The most recent GAO report estimates that about 90 percent of our sites have been damaged, disturbed or vandalized. We are losing sites every day. We have not even come close to identifying the whole site population, something that the executive order 1593 back in 1970 estimated could be done in a mere two to three years.

With our current level of funding, we will not succeed in the foreseeable future in completing that task of identification. And in the meantime, we are losing important sites every day. We are very far from doing all we can or all we should.

Senator BINGAMAN. Well, thank you all very much. I appreciate your patience and appreciate your testimony. Thank you for coming here to testify.

Our final panel has three participants: John Lopez, who is the City Manager in Silver City, NM; Conn Brown, who is the county commissioner for Grant County; and Andrew Gulliford, who is director of the Museum of Western New Mexico University in Silver City.

Why don't we go ahead with John Lopez who is the city manager in my home town, Silver City? We are glad to have you here, John, and we look forward to your testimony.

STATEMENT OF JOHN D. LOPEZ, CITY MANAGER, SILVER CITY, NM

Mr. LOPEZ. Thank you, Senator Bingaman. It is my pleasure to be here.

My name is John Lopez and I am the city manager in Silver City, NM. It is, indeed, my pleasure to testify before this committee in support of your proposed legislation that calls for the establishment of a Mimbres museum/cultural center in the Silver City area.

I too am interested in seeing this legislation pass because it would enable us to preserve the rich Mimbres culture. I am sure you will agree with me that the damage that has been done to date to the culture must cease. We must move now to preserve this culture to the fullest extent possible and to prevent further destruction.

The proposed museum would certainly go a long way toward accomplishing this. Such a facility will serve to provide historical data related to the Mimbres culture. It would enable us to store and exhibit cultural artifacts now in Grant County and hopefully would help us to bring back on loan many of the artifacts now housed in eastern museums and elsewhere outside of the Grant County area. As well, the proposed facility would serve as a visitors' information center for the equally rich Gila Cliff Dwellings and the Masau Trail.

As city manager of Silver City and as a native of the Grant County area, I am not only concerned with preservation of the culture and its historical importance, I am equally interested in the proposed museum because of the economic impact it would have on the area.

The Silver City-Grant County area, as you are aware, has for years and years been heavily dependent on the copper mining industry for its economic wellbeing. I grew up in Santa Rita, the company town situated on the fringes of the huge open copper pit mine in Grant County, which is presently operated by Phelps Dodge Corp. As a youngster, I can recall the difficult times my family went through each year that labor contracts came up for negotiation. Strikes were not uncommon back then, and there were times when they lasted as long as 8, maybe 12 months. We, indeed, endured hardship during these periods. However, once the difficulties were negotiated and my father would go back to work, we enjoyed a good life. This has, in fact, been the way of life in Grant County.

About 3 years ago, when the price of copper plummeted, the people of Grant County finally realized that we could no longer continue to be so dependent on the copper industry for our economic wellbeing, and that we were going to have to make serious efforts to diversify. I am pleased to report today that the people of Grant County have banded together and that we have made significant inroads in diversifying our economy. The Silver City-Grant County Economic Development Corp. has concentrated its efforts on attracting other industries and has, in particular, enjoyed significant success in selling our area to retirees from all over the country.

We enjoy four gentle seasons that are very enticing to retirees that reside in either the cold States or at the other extreme, in hot States such as our neighbor State, Arizona. The result is that many retirees are locating in the Silver City-Grant County area. They like our gentle seasons and particularly the rural nature of our area which provides some very attractive building sites nestled in the mountains that surround Silver City. As well, reasonable taxes, a very low crime rate, good recreational facilities, excellent medical care at the Gila Regional Medical Center, the Gila National Forest and Western New Mexico University all serve to make Silver City-Grant County an ideal place in which to retire.

The proposed Mimbres museum will serve as another avenue to assist us in our diversification efforts. Tourists driving east and west on the interstate close to Silver City are not inclined to detour and go into Silver City unless they have a specific purpose. A Mimbres museum would be a specific purpose that would, I'm sure, prompt a traveler to drive 50 miles off the interstate.

This would not only help our economy in Grant County, but would also serve to expose the Mimbres culture in its native setting to people from within as well as outside the State of New Mexico and the United States. The Mimbres culture is a valuable historical asset that we must preserve and share with as many people as we can. More importantly, Senator Bingaman, the museum will stop further raping of the culture and its artifacts.

An article in the March 20, 1988, issue of the Albuquerque Journal suggests that:

> The El Malpais, the Nation's newest monument, located in western New Mexico, is expected to attract 100,000 visitors and to generate in the neighborhood of $800,000 in gross receipts annually. Officials estimate that each day-visitor to the El Malpais will spend $8 in the adjacent community or $64 if he spends the night. Designation on the Masau Trail, which ties into the Mimbres Museum, will increase the chances of a visitor staying the night.

The Silver City-Grant County Economic Development Corp. estimates similar results from the establishment of the Mimbres museum in the Silver City area.

And so, Mr. Chairman, please allow me the opportunity to again speak very strongly in support of the proposed museum. The tax dollars that would be spent on the project would pay significant dividends to all concerned.

As you can tell from Resolution 88-9—and I have the original with me, Senator Bingaman—adopted by the Silver City Town Council, the proposed project enjoys the full support of the people in Silver City, as well as Grant County. It would indeed, we feel, be a wise investment on the part of the Federal Government.

Thank you very much.

Senator BINGAMAN. Thank you very much, John.

Before we go to any questions, let me have all three witnesses testify. Our next witness is Conn Brown, who is a very good friend of mine and a friend of my family, a leader in our community for a very long time. Conn, we understand this is your first trip to Washington too. So, we particularly welcome you here and look forward to your testimony.

STATEMENT OF CONN BROWN, COUNTY COMMISSIONER, GRANT COUNTY, NM

Mr. BROWN. Thank you, Mr. Chairman.

Senator BINGAMAN. I think you might want to pull that other one over, too. I think this one is sort of for the reporter and the other one is for the loud speaker system.

Mr. BROWN. Thank you again, Mr. Chairman.

I am Conn Brown, a member of the Grant County Commission. I appreciate Senator Bingaman's invitation up here to represent the County Commission and the people of Grant County before this committee.

I am proud to speak in support of Senator Bingaman's legislation, S. 1912, which would provide us a way to help the people learn more about the Mimbres Indians and the art that is left behind them. Senator Bingaman's bill is important to my friends and neighbors in Grant County because it provides us with a chance to attract outside tourists and new visitors to our community.

Much of the beautiful Mimbres pottery has been taken from our area, and I hope the creation of a national museum in Silver City will result in possibly some of that pottery coming home.

We have had tough times in Grant County, as Senator Bingaman knows. The copper industry does not provide the jobs it once did, and many of the young people have had to leave the area to find work. We are well above the state and national average for people unemployed. Many homes remain vacant throughout the county. We need job opportunities for our citizens, and tourism is one of the best ways we can bring these opportunities.

I have lived in Grant County most of my life, and I am proud to be a part of that part of the state. I believe we have many wonder-

ful sites for people to visit and appreciate. The Gila National Forest, the Gila Wilderness, and the Cat Walk at Glenwood, the City of Rocks, the Gila Cliff Dwellings and many Mimbres sites, along with the historic Fort Bayard and its hospital are the good reasons to come to Grant County and Silver City, which is our Senator's home. When Congress passes this Mimbres legislation, people will have a new and very special reason to come and visit us.

I hope we can bring a national museum to Silver City, the gateway to the Gila National Forest and for all of those attractions, and find a way to protect the many Mimbres sites in this area.

On behalf of the Grant County Commission, I encourage the committee to support Senator Bingaman's bill.

Thank you very much, Mr. Chairman.

Senator BINGAMAN. Thank you very much for that testimony. We appreciate it very much.

Our final witness today is Dr. Andrew Gulliford, who is the Director of the Museum of Western New Mexico University. I would just say in introduction that he has been extremely helpful to us in preparing this legislation and in very aggressively advocating something along these lines with regard to the preservation of the Mimbres culture in that region. So, we appreciate your help, and we appreciate your being here today.

STATEMENT OF DR. ANDREW GULLIFORD, DIRECTOR, MUSEUM OF WESTERN NEW MEXICO UNIVERSITY, SILVER CITY, NM

Dr. GULLIFORD. Thank you, Senator Bingaman.

As Dr. Brody testified, the Mimbres art, Mimbres painted pottery, is a national resource. It is a national treasure found at museums throughout the United States and around the world, including some in Eastern Europe. Yet, despite this national and international acclaim, there is no recognized center for Mimbres study nor any exemplary Mimbres collections on public display anywhere near the Mimbres Valley where these marvelous prehistoric ceramics were produced.

The Western New Mexico University Museum does its best to display and interpret Mimbres materials, but at present we have limited funds, limited staffing and limited resources to do justice to this unique prehistoric culture. Of the 300 Mimbres ceramic pieces that we own, we have 80 on permanent display. That small amount represents the largest number of Mimbres ceramics on permanent display at any museum in the United States. Other museums have larger collections, but they generally keep their pieces in storage far from public view.

Our museum's open door policy of admissions and our staff's willingness to describe the Mimbres culture phenomenon to visitors results in over 6,000 visitors each year. Since January 1, 1988, those visitors have come from 35 States and 5 foreign countries, including four Canadian provinces. They come to see the black on white pottery and to learn about the Mimbres people. A national Mimbres culture interpretive center could draw up to 30,000 new visitors to the Silver City area and have a positive impact on the local economy and on educational and employment opportunities

for undergraduate and graduate students at Western New Mexico University.

The university fully supports Senate bill 1912. On March 15, 1988, the Western New Mexico University Board of Regents unanimously passed a resolution in support of this bill. We feel this is timely legislation because these resources desperately need to be preserved and protected. Local curation and interpretation have been sorely lacking for generations. Here is an archaeological resource of major value to the Nation.

The National Parks and Conservation Association in its recently released nine volume publication titled Investing in Public Futures: The National Park System, A Blueprint for Tomorrow, states that new sites should be added to the existing park network and that park interpretations should become "a priority of the service." The National Mimbres Cultural Act of 1987 represents an innovative opportunity to put both these goals into practice. There is no question about the aesthetic value of Mimbres ceramic pottery. It is a critical cultural resource which does not have adequate protection.

Since 1906 with the passage of the Federal Antiquities Law, it has been the responsibility of the Federal Government to preserve prehistoric sites and resources, but only with the 1979 passage of the Archaeological Resources and Protection Act have Federal agencies taken their caretaker's role seriously. Everyone is now paying attention to southwestern artifacts though they are not necessarily paying attention to the laws. Tighter restrictions on artifact acquisition have only resulted in spiraling prices and a highly lucrative black market. Sotheby's Art Auction in New York City regularly sells Mimbres pottery further disbursing this unique resource and distributing the artifacts far from their point of origin.

In New Mexico, the southwest corner of the state has been and continues to be heavily pot-hunted because of the priceless Mimbres bowls which are found there. Pot-hunters illegally excavate Mimbres sites on Federal land belonging to the United States Forest Service and the Bureau of Land Management. The very abuses ARPA legislation sought to curb have increased because of the law of supply and demand. With fewer pots on the market, those artifacts can now bring extravagant prices.

This feasibility study for a national Mimbres culture interpretive center is extremely important because of the tremendous market pressures which have been brought to bear upon Mimbres pottery. Pot-hunting is a particular problem in those areas in the west frequently caught in boom and bust cycles where local residents facing economic downturns can easily drive out on public lands and with a shovel and canteen prospect for pottery. Without guidance and support from the National Park Service, and without the presence of a national Mimbres culture interpretive center in Silver City, looting on public lands will only increase until what is left of the thousand year old Mimbres culture will be destroyed.

Here is an extremely rare opportunity for the professionals at the National Park Service to utilize their curatorial and interpretive talents in the creation of a new interpretive center which will be a showcase for southwestern Indian culture. Such a center with an accompanying Mimbres cultural heritage interpretive trail and interpretive sites in the Mimbres and Gila River Valleys can break

new ground by establishing cooperative precedence among the National Park Service, the U.S. Forest Service and the Bureau of Land Management.

It can also send out the distinct message that the Federal Government does, indeed, care about the preservation and protection of local prehistoric cultures. At present area residents throughout the southwest remain skeptical at best and are sometimes openly hostile about Federal archaeological laws and regulations. This is one of the major problems with private artifact ownership and cultural resource management in the southwest.

Area amateurs condemn the professional archaeologists for digging up local artifacts and hauling them off to universities and museums hundreds or even thousands of miles away to be studied by graduate students and never seen again by local residents. Area citizens dig up pots and place them on their fireplace mantels or in special cabinets or garage museums.

Not only must the proposed Mimbres culture interpretive center educate out of state visitors to the value of the Mimbres people, but it must also bridge the gap between the professional archaeologists and the amateurs by encouraging local citizens to adopt the center as their own and to make contributions from their personal collections. Local people must be educated as to cultural resource management on Federal lands. Here is an exceptional opportunity not only to teach Americans about a fascinating prehistoric Indian culture, but also to initiate a successful interpretive and educational program which will pioneer techniques and displays for teaching local citizens about the continuing problems of vandalism of public sites.

As our understanding of prehistoric resources in the southwest grows, so must our commitment to protecting those resources. Museums will play a major role in that protection.

A key component of Senate Bill 1912 is the issue of local empowerment. For years residents of southwestern New Mexico have watched their valuable Mimbres pottery leave the area never to return. In the name of scientific advancement and private profit, Mimbres bowls have repeatedly left the Mimbres Valley. Such resource exploitation must stop. Under the aegis of the National Park Service facility, Mimbres bowls now collecting dust in museum store rooms across the country would be returned on loan to a national Mimbres culture interpretive center. The Park Service should be willing to provide both curatorial and interpretive expertise in making this center a showcase not only for Mimbres, Salado and Casas Grandes pottery, but also for explaining the theme of cultural resource protection throughout the southwest.

As for the sale and resale of Mimbres ceramics for private profit, the recently completed General Accounting Office report initiated by Senator Bingaman on cultural resources did not go far enough in examining the question of market value of prehistoric artifacts. Hopefully through education, the national Mimbres center can stem the increasing dispersal of Mimbres pottery to private collectors around the United States and around the world. These bowls are national treasures and should be treated as such.

Western New Mexico University urges your support in favor of Senate Bill 1912. The American West has always been and contin-

ues to be an exciting place to live and work where the past is very much present. If that past is to be preserved for future generations, the implementation of educational, research and interpretive centers like a national Mimbres museum must be forthcoming or within the next decade, we will have obliterated all hopes of learning more about our southwestern prehistory. Pot-hunters and self-serving private collectors will have ruined local site and dispersed Mimbres pottery beyond any hope of systematic interpretation and display.

The only logical place for a national Mimbres museum and interpretive center is in Silver City, New Mexico, adjacent to the Mimbres Valley where it can be a showcase facility managed as a cooperative venture with the National Park Service, the Town of Silver City, Western New Mexico University, the U.S. Forest Service and the Bureau of Land Management.

Committee members, the future of this irreplaceable national resource lies with you.

[The prepared statement of Dr. Gulliford follows:]

Mimbres Cultural Act of 1987
S. Bill 1912

Testimony

by Andrew Gulliford, Ph.D.
Director of the Museum
Western New Mexico University
Silver City, New Mexico

Presented at the United States Senate Sub-Committee
on Public Lands, National Parks & Forests
of the Senate Energy and Natural Resource Committee

March 24, 1988

Of all the fascinating prehistoric cultures which thrived in the American Southwest, only peoples of the Mimbres Classic Phase of the Mogollon Culture restricted themselves to southwestern New Mexico. They lived in rectangular houses made of rocks and logs held together by the mud mortar which the Spanish call adobe. The architecture of their houses and villages was crude by any standard and pales in comparison with the outstanding unmortared construction techniques of the Anasazi to the north who left magnificent stone dwellings that are preserved at Mesa

Verde and Chaco Canyon National Parks.

The Mimbreños lived simply with only the sparest of social organization. They certainly did not have the social heirearchy of the Chacoan Culture, which enabled that culture to produce a network of outstanding roads and a cosmopolitan trading center like Pueblo Bonito in northern New Mexico. Nor were the Mimbres people skilled traders like the Casas Grandes people from northern Chihuahua, Mexico, who even built a system of canals to bring water to their city called Paquime.

Instead, the Mimbreños are a people of mystery, because they had no distinctive architectural traditions; they left no direct descendants; we do not know their language, and they created only minimal rock art. We call them the Mimbres people because Mimbres is the Spanish word for the willows which shelter the river valley where their lives were centered. We do not know what they called themselves.

What this people did leave, however, is an outstanding tradition of black-on-white pottery utilizing mythic symbols and extraordinarily sophisticated geometric designs to produce perhaps the finest prehistoric

ceramic pottery in the United States. The designs on their beautiful bowls and jars give us a vivid, timeless perspective on the Mimbres culture. Between 950 and 1150 A.D. the Mimbreños produced pottery with realistic images of animals, insects, birds, deer, antelope, mythic creatures and paintings of the Mimbreños themselves.

Identifying marks for the Mimbres Classic Phase include half a dozen finely painted lines on the inside lip of the pots with animals delicately painted on the concave surface. Exceptional pots with an 18 in. circumference can have up to 42 hand-drawn lines in a width of only 3.25 inches. Within a span of approximately 150 years, in a burst of inexplicable creativity, the Mimbreños mastered perspective in a way which would not find its equivalent in Europe until the Renaissance. Many of the pots were sacred and were buried with their owners. The Mimbreños believed that because humans came into the world in the fetal position, they should return to the world in the same position, so they buried their dead with knees and elbows flexed, and on their heads they placed these magnificent black-on-white pots. The pot, too, was killed with

a small hole, about the size of a quarter, made in the bottom. It was then placed on the head of the deceased so that the human spirit and the spirit of the pot would be joined in the next world.

These pots are highly stylized and very easily recognizable. Mimbres artists painted vivid visual descriptions of their life, rituals, and mythology some of which may have had deep roots in pre-Columbian Central America. Mimbres painted pottery is a cultural contribution as unique and as breathtaking as any artistic achievement by any native culture. All their work was done by hand from natural elements, and the clays and paints have survived for over one thousand years. They did not even have pottery wheels. The pots remain chemically stable and--with proper conservation--should endure forever. The finest pots were obviously the work of master potters who were probably women with extraordinary sensitivity. They were representational artists of the highest order, yet they delighted in putting skunk's feets on the legs of turkeys, making lizards into fish, and otherwise improvising upon nature. Folklorist Ruby Dee has stated, "Every man-made object lies along a continuum between

necessity and frivolity." The Mimbres people understood that continuum and their finest bowls represent a remarkable synthesis.

The women were the potters, though men may have helped dig clay and fire the pots. Women painted the pots, too, though an occasional man may have tried his hand at painting. In all likelihood, though, Mimbres art was the work of women who shaped and painted and fired bowls in crude kilns, yet with such sophistication that a thousand years later their pottery endures and brings high prices.

A thorough study of Mimbres pottery reveals an extraordinary range of animals and insect life represented on picture pots. The Mimbrenos painted deer, antelope, turkey, moths, vinegarones, skunks, caterpillars, bats, and even whimsical flying armadillos. Thousand-year-old Mimbres fish look exceedingly contemporary with extensive cross-hatching to illuminate body parts and create the illusion of depth. Some of the Mimbres fish painted on bowls in southwest New Mexico raise more questions than they answer. They are depictions of a fish species which can only be found 600 to 700 miles away on the Gulf of California! How

did the Mimbres know of such fish when they themselves lived near the Continental Divide at the southern edge of the Rocky Mountains?

The human representations on Mimbres bowls are as fascinating as any Egyptian frieze, Greek temple entablature, or Minoan tile work. Women potters depicted their people coming from the belly of the earth, gambling for arrows, hunting, fishing, wrestling, making love, and giving birth. Approximately 6,000 to 10,000 Mimbres bowls are thought to be in existence.

Since 1904 when J. W. Fewkes from the Smithsonian Institution saw drawings of these fabulous bowls and the next day boarded a train to New Mexico, archaeologists have worked in the Mimbres Valley of southwestern New Mexico in almost every decade of the twentieth century. Mimbres pottery collections are found across the country and around the world. Mimbres pots are in the Smithsonian Institution, the Peabody Museum at Harvard University, the Metropolitan Museum in New York, the Museum of the American Indian in New York, the Logan Museum of Beloit College in Wisconsin, the University of Minnesota Museum, the Museum of New

Mexico, the Maxwell Museum of the University of New Mexico, the Millicent Rogers Museum in Taos, the University of Colorado Musuem at Boulder, the Taylor Museum of the Colorado Springs Fine Arts Center, the Heard Museum in Phoenix, and the Southwestern Museum in Los Angeles.

As recently as 1984 a major traveling exhibition titled *Mimbres Pottery: Ancient Art of the American Southwest* was organized by the American Federation of Arts in conjunction with the National Endowment for the Humanities, the National Endowment for the Arts and the Mabel Pew Myrin Trust. The exhibit toured to excellent reviews in major cities including St. Paul, New York, Kansas City, and Los Angeles, and it included two bowls from the collection of the Western New Mexico University Museum.

In Europe, Mimbres bowls can be found at the National Museum in Denmark, the University Museum of Archaeology and Ethnology at Cambridge in England, the Musee de L'Homme in Paris, and the Statens Etnografiska Museum in Stockholm, Sweden. Quite likely Mimbres bowls are also in East European collections, especially the Museum fur

Volkerkunde in Leipzig in the German Democratic Republic (East Germany) and the Ethnographic Museum in Budapest, Hungary.

Scientific investigation into this fascinating culture also continues. Biochemistry professors Ruth and Frank Gurd from Indiana University visited the Western New Mexico University Museum in January. They suggested studying designs on Mimbres bowls via applied physics and sophisticated computer modeling to gain new insights into creativity theory and how the human mind perceives spatial relationships. In October, 1987, Veletta Canouts, Visiting Scientist from the Conservation Analytical Laboratory of the Smithsonian Institution, Ronald L. Bishop, Senior Research Archaeologist at the Smithsonian's Conservation Analytical Laboratory, and Patricia A. Gilman, research fellow at the Amerind Foundation, suggested their own phased feasibility study to learn about the production and exchange of Mimbres black-on-white pottery using instrumental neutron activation analysis.

Yet despite this national and international acclaim, there is no recognized center for Mimbres study nor any exemplary Mimbres

collections on public display anywhere near the Mimbres valley where these marvelous prehistoric ceramics were produced. The Western New Mexico University Museum does its best to display and interpret Mimbres materials, but at present we have limited funds, limited staffing, and limited resources to do justice to this unique prehistoric culture. Of the three hundred Mimbres ceramic pieces that we own, we have eighty on permanent display. That small amount represents the largest number of Mimbres ceramics on permanent display at any museum in the United States. Other museums have larger collections, but they generally keep their pieces in storage far from public view. Our museum's open door policy of admissions and our staff's willingness to describe the Mimbres culture phenomena to visitors results in over 6,000 visitors each year. Since January 1, 1988 those visitors have come from thirty-four states and five foreign countries including four Canadian provinces. They come to see the black-on-white pottery and to learn about the Mimbres people. A National Mimbres Culture Interpretive Center could draw up to 30,000 new visitors to the Silver City area and have a positive impact on the local

economy and on educational and employment opportunities for undergraduate and graduate students at Western New Mexico University.

The University fully supports Senate Bill 1912. On March 15, 1988, the Western New Mexico University Board of Regents unanimously passed a resolution in support of this bill. Prior to the Regents' uneqivocal support, the full WNMU Faculty Senate voted in favor of the resolution. We feel this is timely legislation because these resources desperately need to be preserved and protected; local curation and interpretation have been sorely lacking for generations. Here is an archaeological resource of major value to the nation, and Western New Mexico University willingly seeks to cooperate with the National Park Service, the U.S. Forest Service, the Bureau of Land Management, the State of New Mexico, and the Town of Silver City in making the Mimbres culture better known and understood for the academic community and the general public.

The National Parks and Conservation Association, in its recently released nine-volume publication *Investing in Park Futures: The National Park System, A Blue Print for Tomorrow* , states that new sites should be

added to the existing park network and that park interpretation should become "a priority of the service." The National Mimbres Cultural Act of 1987 represents an innovative opportunity to put both those goals into practice. There is no question about the aesthetic value of Mimbres ceramic pottery; it is a critical cultural resource which does not have adequate protection. Since 1906 with the passage of the federal Antiquities Law, it has been the responsibility of the federal government to preserve prehistoric sites and resources, but only with the 1979 passage of the Archaeological Resources and Protection Act have federal agencies taken their caretaker's roll seriously. Everyone is now paying attention to Southwestern artifacts, though they are not necessarily paying attention to the laws.

Tighter restrictions on artifact acquisition have only resulted in spiraling prices and a highly lucrative black market. Sotheby's Art Auction in New York City regularly sells Mimbres pottery, further dispersing this unique resource and distributing the artifacts far from their point of origin. In New Mexico, the southwest corner of the state has been and continues to

be heavily pot-hunted because of the priceless Mimbres bowls which are found there. Pot-hunters illegally excavate Mimbres sites on federal land belonging to the United States Forest Service and the Bureau of Land Management. The very abuses ARPA Legislation sought to curb have increased because of the law of supply and demand. With fewer pots on the market, those artifacts can now bring extravagant prices. This feasibility study for a National Mimbres Culture Interpretive Center is extremely important because of the tremendous market pressures which have been brought to bear upon Mimbres pottery.

Pot-hunting is a particular problem in those areas in the West frequently caught in boom and bust cycles where local residents facing economic downturns can easily drive out on public lands and with a shovel and a canteen prospect for pottery. The largest town close to the Mimbres and Gila River Valleys is Silver City, which has traditionally been dependent upon the copper industry. Without guidance and support from the National Park Service, and without the presence of a National Mimbes Culture Interpetive Center in Silver City, looting on public lands will only

increase until what is left of the thousand-year-old Mimbres culture will be destroyed.

Here is an extremely rare opportunity for the professionals at the National Park Service to utilize their curatorial and interpretive talents in the creation of a new interpretive center which will be a showcase for Southwestern Indian culture. Such a center, with an accompanying Mimbres Cultural Heritage interpretive trail and interpretive sites in the Mimbres and Gila River Valleys, can break new ground by establishing cooperative precedents among the National Park Service, the U.S. Forest Service, and the Bureau of Land Management. It can also send out the distinct message that the federal government does indeed care about the preservation and protection of local prehistoric cultures. At present, area residents throughout the Southwest remain skeptical at best and are sometimes openly hostile about federal archaeological laws and regulations. This is one of the major problems with private artifact ownership and cultural resource management in the Southwest.

Area residents have routinely dug pots on public and private lands,

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and continue to do so in March of 1988. To have one's own collections of prehistoric artifacts has been a sign of status and stature in the small towns of southwest New Mexico, because it means you have traveled the back country and know it well. The rift between amateur archeaologists and professional archaeologists is a deep chasm, and federal regulations about archaeological protection seem ludicrous to locals who consider the resources theirs by right of proximity. What right does the federal government have in telling them what to do with old pots?

In the Mimbres Valley professional pot-hunters have used bulldozers to move off topsoil so they can quickly get to the precious painted pots. Of course they destroy quite a few pots in the process. Despite legislation passed in New Mexico prohibiting the use of mechanized equipment for the recovery of prehistoric artifacts on private land, ranchers and other landowners continue to collaborate with pot-hunters for equal shares.

Area amateurs condemn the professional archaeologists for digging up local artifacts and hauling them off to universities and museums hundreds or even thousands of miles away to be studied by graduate students and

never again seen by local residents. Area citizens dig up pots and place them on their fireplace mantles or in special cabinets or garage museums. These weekend collectors proudly display their finds and can tell a story related to each artifact. They rarely sell their artifacts, and they do relatively minor damage compared to the commercial looters who raid whatever sites they can find and steal the contents for their high dollar value.

Not only must the proposed Mimbres Culture Interpretive Center educate out-of-state visitors to the value of the Mimbres people, but it must also bridge the gap between the professional archaeologists and the amateurs by encouraging local citizens to adopt the Center as their own and to make contributions from their personal collections. Local people must be educated as to cultural resource management on federal lands. Here is an exceptional opportunity not only to teach Americans about a fascinating prehistoric Indian culture, but also to initiate a successful interpretive and educational program which will pioneer techniques and displays for teaching local citizens about the continuing problems of vandalism of public

sites.

According to the December, 1987, report titled *Cultural Resources : Problems Protecting and Preserving Federal Archaeological Resources,* released by the General Accounting Office, in the Southwest amateurs continue the recreational collection of antiquities begun in the late nineteenth and early twentieth centuries. Many professional archaeologists look with disdain and contempt at local citizens who live in the desert valleys which the professionals only visit during field seasons or on sabbatical. These professionals remain skeptical of their amateur counterparts who have lived in the Southwest for decades and who have an intuitive understanding of prehistory. By their random digging, amateurs may have destroyed the valuable cultural information which a professional could have learned from meticulous research at the same sites. In other situations, however, amateurs have only continued site work abandoned by professionals. Meaningful dialogue between the two groups rarely exists.

The archaeological record on the Mimbreños is clear. We know where

they lived, when they died, and what they ate, but we know little about the Mimbreños as a people. Amateur archaeologists have studied Mimbres pottery for years, but they do not talk to the professionals and, of course, the professionals do not talk to the amateurs, because they consider them mere pot-hunters. Valuable information on the Mimbres people therefore remains unrecorded, yet in their own way the amateurs are interested in adding to the archaeological record by sharing their finds with professionals. As New Mexico's State Historic Preservation Officer Thomas N. Merlan has stated in a letter to the author:

> The older pothunters you mention are motivated by curiosity about the prehistoric Southwest, and by an interest in museum-quality objects. . . There is no point in excorciating them for what they've done. Many of them will respond positively to the argument that we need to preserve our heritage.

This feasibility study should thoroughly explore the exciting opportunity to get local residents and amateur archaeologists actively involved in working together to protect and manage this critical cultural resource. One organized group which is currently celebrating its fiftieth

anniversary is the Grant County Archaeology Society. Comprised primarily of senior citizens who have either grown up in the Silver City area or chosen to retire there, the society's dedicated membership can play a crucial role in aiding additional research and in educating school children to the importance of prehistoric cultures. Volunteer support can help make the National Mimbres Culture Interpretive Center a stimulating place to visit and enable it to play a major role in shaping public opinion in favor of cultural resource management and protection.

In a report released February 26, 1988, the House Interior and Insular Affairs Committee on General Oversight and Investigations capped a four-month probe with the revelation that up to 90% of the archaeological Indian sites in Arizona, Colorado, New Mexico, and Utah have been vandalized. The subcommittee labeled such vandalism an "extremely serious problem which threatens our national heritage." Vandalism on the Navajo Reservation has increased 1,000% since 1980. New recommendations by the subcommittee include making digging for artifacts a felony and making "surface collecting" a misdemeanor. A revision in the

law will make attempting to loot or vandalize a federal offense. Currently looters have to be caught in the act. The panel correctly noted that, "Monetary value has no place in a law protecting archaeological resources."

As our understanding of prehistoric resources in the Southwest grows, so must our commitment to protecting those resources. Museums will play a major role in that protection. A key component of S. 1912 is the issue of local empowerment. For years residents of southwest New Mexico have watched their valuable Mimbres pottery leave the area--never to return. In the name of scientific advancement and private profit, Mimbres bowls have repeatedly left the Mimbres Valley; such resource exploitation must stop. Under the aegis of a National Park Service facility, Mimbres bowls now collecting dust in museum storerooms across the country would be returned on loan to a National Mimbres Culture Interpretive Center. The Park Service should be willing to provide both curatorial and interpretive expertise in making this center a showcase not only for Mimbres, Salado, and Casas Grandes pottery, but also for explaining the theme of cultural resource protection throughout the Southwest.

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As for the sale and resale of Mimbres ceramics for private profit, the recently completed General Accounting Office report on *Cultural Resources* did not go far enough in examining the question of market value of prehistoric artifacts. Hopefully through education, the National Mimbres Center can stem the increasing dispersal of Mimbres pottery to private collectors around the United States and around the world. These bowls are national treasures and should be treated as such.

Western New Mexico University urges your support in favor of Senate Bill 1912. The American West has always been and continues to be an exciting place to live and work where the past is very much present. If that past is to be preserved for future generations, the implementation of educational, research, and interpretive centers like a National Mimbres Museum must be forthcoming or within the next decade we will have obliterated all hopes of learning more about our Southwestern prehistory. Pot-hunters and self-serving private collectors will have ruined local sites and dispersed Mimbres pottery beyond any hope of systematic interpretation and display.

The only logical place for a national Mimbres Museum and interpretive center is in Silver City, New Mexico, adjacent to the Mimbres Valley where it can be a showcase facility managed as a cooperative venture with the Town of Silver City, Western New Mexico University, the U.S. Forest Service, the Bureau of Land Management, and the National Park Service. Members of the committee, the future of this irreplaceable national resource lies with you.

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compiled by Andrew Gulliford, Ph.D.
Director of the Museum
Western New Mexico University

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Western New Mexico University

Office of the President

March 22, 1988

Committee Members
United States Senate Sub-Committee
on Public Lands, National Parks & Forests
of the Senate Energy and Natural Resources
Committee

Dear Committee Members:

Western New Mexico University is pleased that you have requested Dr. Andrew Gulliford, Director of the WNMU Museum, to give testimony before you on the Mimbres Cultural Act of 1987.

Last week, the Western New Mexico University Board of Regents passed a resolution in support of Senate Bill 1912 and that resolution is included in Dr. Gulliford's testimony.

I would like to confirm WNMU's support of the concept of a National Mimbres Culture Interpretive Center and the feasibility study which would be the first step towards creating such a center.

Western New Mexico University is committed to serving the educational needs of citizens in southwest New Mexico, and our University faculty and administration look forward to cooperating in this significant educational venture.

Thank you for your consideration. Best wishes for the successful passage of this legislation.

Sincerely,

Rudolph Gomez

Rudolph Gomez
President

RG/cm

P.O. Box 680 Silver City, New Mexico 88062

WESTERN NEW MEXICO UNIVERSITY

SILVER CITY, NEW MEXICO 88062 BOARD OF REGENTS

RESOLUTION IN SUPPORT OF THE NATIONAL MIMBRES CULTURE ACT

Whereas U.S. Senator Jeff Bingaman has introduced federal legislation for a feasability study on the creation of a National Mimbres Culture Interpretive Center here in Silver City, New Mexico, and whereas a team from the National Park Service has already visited the campus of Western New Mexico University and seen the Mimbres collection at the WNMU Museum, we the Regents of WNMU hereby resolve that the University will make every effort to cooperate with the formation of such an Interpretive Center and encourage the staff and administration to work with the National Park Service and the U.S. Forest Service towards that end.

The National Mimbres Culture Act of 1987 states, "The facility would be managed by the Park Service in cooperation with the state of New Mexico, the Town of Silver City, Western New Mexico University, and the U.S. Forest Service." As work continues on the feasability study and the selection of a site for the Interpretive Center, we would hope that the Center be as closely aligned as possible with Western New Mexico University in terms of facility usage, office space, research projects, public exhibitions, and the utilization of faculty and administrative expertise.

Dr. Milligan introduced the above resolution to the Board of Regents at their Regular Session meeting of March 15-16, 1988. Regent Kinneberg moved that the Board adopt the resolution as stated. Regent Mills seconded the motion. The motion carried.

/cm

Senator BINGAMAN. Thank you very much for that testimony.

The hour is getting late. Let me just ask a couple or three questions if I could.

First, John Lopez, let me ask you. The whole issue of trying to attract visitors to our area of the state or of the southwest in order to view the Mimbres culture and become aware of it and study it—has this in the past been a major focus of your tourist promotion activities? Or is the lack of an interpretive facility or the lack of a real national focus on this kept the community from promoting this aspect of what we have?

Mr. LOPEZ. Senator Bingaman, I don't believe that this has really been a focus of our tourism/economic development efforts. And I think that you are correct that a large part of the reason for it is that there is no interpretive center available other than Western New Mexico University Museum, which does a good job. But I think that an interpretive center would go a long way in helping the entire community, the entire area, to really utilize this as a way of attracting additional tourists to the Silver City-Grant County area.

Senator BINGAMAN. Dr. Gulliford, you have worked for several months to identify the whereabouts of Mimbres pottery, to do something of an inventory of that. Could you give us any information on what you found or the status of your research?

Dr. GULLIFORD. Mimbres pottery collections are found across the country and around the world. Mimbres pots are in the Smithsonian Institution. I look forward to seeing those tomorrow. They are at the Peabody Museum at Harvard University, the Metropolitan Museum in New York, the Museum of the American Indian in New York, the Logan Museum of Beloit College in Wisconsin, the University of Minnesota Museum, the Museum of New Mexico, the Maxwell Museum of the University of New Mexico, the Millicent Rogers Museum in Taos, the University of Colorado Museum at Boulder, the Taylor Museum of the Colorado Springs Fine Arts Center, the Heard Museum in Phoenix, and the Southwestern Museum in Los Angeles.

In Europe, Mimbres bowls can be found at the National Museum in Denmark, the University Museum of Archaeology and Ethnology at Cambridge in England, the Musee de L'Homme in Paris and the Statens Ethnografiska Museum in Stockholm. Quite likely Mimbres bowls are also in east European collections especially the Museum fur Volkerkunde in Leipzig in the German Democratic Republic in East Germany, and the Ethnographic Museum in Budapest, Hungary.

Senator BINGAMAN. One of the things we call for in this legislation is a study of the significance of the Mimbres culture and how it relates to other cultures in that part of the country. Could you briefly describe what the status of research is on these subjects as you understand it?

Dr. GULLIFORD. This is not a culture which has been forgotten. As a matter of fact, there continues to be very exciting research. As recently as October 1987, scientists from the conservation analytical laboratory of the Smithsonian Institution proposed a feasibility study to look at the production and exchange of Mimbres black on white pottery using instrumental neutron activation anal-

ysis, something which they are doing very successfully at the Hopi Reservation, tracing sources of clays and pottery techniques involved in prehistoric Hopi ceramics. So, this is something that they also are seeking support for to do with Mimbres materials.

Scientists from Indiana University—and this is included in my written testimony—visited the Western New Mexico University Museum in January, and they suggested studying designs on Mimbres bowls by applied physics and sophisticated computer modeling to gain new insights into creativity theory and what the prehistoric Mimbres painters, potters, primarily women, would have been thinking and how they would have addressed the very sophisticated problem of putting very complex designs onto specific special shapes.

Ongoing research also includes New York University working at Old Town, a site first discovered and looked at by J. Walter Fewkes from the Smithsonian in 1914. So, this research is still very current.

Senator BINGAMAN. Finally, let me ask you about your suggestion of a Mimbres culture trail that you referred to in your original testimony. How do you perceive that operating or functioning? Maybe you could elaborate on that idea.

Dr. GULLIFORD. This is, I think, a very important issue and one that the National Park Service in earlier testimony when they said they were less than enthusiastic about the national Mimbres museum because there was no specific site that they felt they could manage—I would disagree. I think there are a number of sites which could be managed for several reasons. A number of Mimbres sites are on either BLM or Forest Service lands. These are known Mimbres sites. There is the Woodrow ruin, which is owned by the State of New Mexico. That could be utilized. There are also private landowners who would donate sites, and there is the Mimbres Foundation which acquired Mimbres sites in the 1970s and would probably transfer title to those sites to an entity such as the National Park Service.

So, an interpretive trail then would begin with a visitors center, an interpretive center, in Silver City at the bottom of the horseshoe, and then going up the horseshoe on one side, you would go up the Mimbres Valley, looking at Mimbres sites and learning more about the people, where they lived and how they lived, and then also up the Gila River Valley where there are additional Mimbres and Salado sites. So, in terms of site interpretation, as well as the value of these prehistoric artifacts, I think there are a number of opportunities which need to be looked at.

Senator BINGAMAN. If you would, I would appreciate it if you could send us something in writing which describes in whatever detail you could the location of this trail as you would see it and how that would make sense and fit into an interpretive center.

Dr. GULLIFORD. Okay. This is something which I presume the National Park Service feasibility study will take into account. However, I will do that.

Senator BINGAMAN. When their report comes out, maybe you could supplement that, if you disagree with anything that they suggest there.

We have several other items of correspondence we have received from residents in Grant County supporting this legislation, one in particular from Susan Berry who is the Director of the Silver City Museum in support of this committee, and I want to just insert all of those in the record also so that they will be part of the hearing record.

I think that concludes our testimony. I again want to thank you folks for coming. I know this is a long way to come to testify on a matter, but it is important to make a good record so that we then are in a position to go forward with full committee consideration of this.

Let me mention one other thing which I mentioned at the first; that is, we are going to keep the record of the hearing open until April 8. In case anything occurs to you or you become aware of other statements that should be included relevant to this legislation, I would be glad to receive those up until April 8.

Thank you all again, and we will conclude the hearing.

[Whereupon, at 4:12 p.m., the hearing was adjourned.]

APPENDIX

Additional Material Submitted for the Record

STATEMENT OF
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on Public Lands, National Parks and Forests
Committee on Energy and Natural Resources
United States Senate

Concerning S. 1693, Coronado National Trail Study Act of 1987

March 24, 1988

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity for the Department of Agriculture to provide a statement regarding S. 1693, a bill "To amend the National Trails System act to provide for a study of the Coronado Trail, and for other purposes."

The Department of Agriculture recommends enactment of S. 1693, insofar as it would affect this Department. We defer to the Department of the Interior for an overall recommendation on this legislation.

S. 1693 would amend section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) by adding the Coronado Trail to the list of trails designated for study. The study would be completed not later than 1 year after enactment.

The Coronado Trail follows the approximate route taken by the expedition of the Spanish explorer Francisco Vasquez de Coronado between 1540 and 1542, extending through portions of the States of Arizona, New Mexico, Texas, Oklahoma, and Kansas.

Coronado and his expedition were the first Europeans to explore and report on what is now the Southwestern United States. Through the Spanish Colonial eyes of Coronado's men, Mid-America was made known to the world. For this reason alone, the feasibility and desirability of adding the trail to the National Trails System should be studied. If it were to be eventually designated, it would preserve a part of our Country's historic heritage, and add to the bank of opportunities necessary to meet the growing demand for outdoor recreation.

Based on information available at this time, it appears that Coronado and his men visited and explored parts of what are now the Coronado, Apache, Cibola , and possibly the Santa Fe National Forests.

It is our understanding that the Department of the Interior would have the overall responsibility for conducting the study S. 1693 would require, and that the Secretary of Agriculture would only study lands under his jurisdiction. We would be pleased to cooperate with the Secretary of the Interior in completing the study. If S. 1693 is enacted, we would anticipate no significant impacts on the management of National Forest System lands.

This concludes the Department's statement. We would be pleased to provide any additional information you may desire.

Silver City Museum

312 West Broadway • Silver City, New Mexico 88061

March 22, 1988

To: Chairman, Energy and Minerals Committee
U.S. Senate

From: Susan Berry, Director of the Silver City Museum

Subject: Establishment of a National Mimbres Museum

A civilization which flourished a thousand years ago in the Mimbres Valley of southwestern New Mexico left behind a legacy of painted pottery that is incomparable in the world today. Living as subsistance farmers in an arid country, their resources limited and their technology at a Stone Age level, the Mimbres Indians evolved a style of decorated pottery which speaks of civilization at its highest. The elegant black-on-white Mimbres pottery includes intricate geometric designs similar to that of early Southwestern cultures. More unique, however, are the stylized naturalistic forms which the Mimbrenos used to express their close relationship with nature, their mythologies, and even their humor. The pictorial nature of the Mimbres pottery provides a tantalizing glimpse into the lives and beliefs of these long-vanished people. Mimbreno artwork reflects a distinctive, recognizable style which evolved over centuries. Why a primitive culture should create works of such enduring beauty, and why that culture should abruptly vanish from the valley it had populated for some nine hundred years, are only two of the great mysteries surrounding the Mimbres Indians.

From the first non-Indian settlement of the Grant County area in the nineteenth century onward, the fragile legacy of the Mimbrenos began to be dispersed and destroyed. An early explorer-archaeologist noted in the 1880s that more recent Mimbres Valley settlers had used the ruins of Mimbreno dwellings as foundations for their own houses. Nineteenth-century newspaper accounts detailed the discoveries of "Aztec" (Mimbreno) artifacts by local residents, who displayed the items as curiosities before sending them off to relatives in the East. Ancient burials were uncovered in the course of farming, ranching, and excavating for new construction. Some pioneers prized the pottery, digging up large quanities of it for their personal collections; others took it for granted. Some children growing up on area ranches reported using it for target practice.

The twentieth century brought new appreciation for--and new threats to--the Mimbres sites. A major wave of archaeological excavations took place in the Mimbres area during the mid-1920s and early 1930s. Digs were conducted under the auspices of the Peabody Museum, the Southwest Museum of Los Angeles, the University of Minnesota, and other noteworthy organizations. The body of information gathered during this period would become extremely important to future study of the Mimbrenos, because pothunting in the ensuing decades disturbed so many Mimbres sites that there is now relatively little left to excavate. An untold number of the pots have been plucked from Mimbres ruins by pothunters to satisfy an ever-growing commercial market for the decorated ware. Because the Mimbrenos buried pottery with their dead under the floors of their dwellings, pothunting not only removes the pots from their context, but destroys the dwellings and villages as well. Professional pothunters in the 1960s began using bulldozers to loot Mimbres ruins, literally strip-mining the sites.

Mimbres pottery is prized by collectors and museums throughout the world. Clearly, it is a cultural treasure of national importance. Creation of a national Mimbres museum will greatly help in the preservation and understanding of this unique and endangered resource. Nothing can bring back the Mimbres Indians, and nothing can bring back the sites that have been destroyed. Still, much can be done to encourage research, educate the public, and to exhibit and interpret the relics which remain. Although there has been much local interest over the years in establishing a Mimbres museum, until now sufficient resources have not been available to provide for the level of professional services that would be required. Under the auspices of the National Park Service, it should be possible to return for display some of the Mimbres pots which left the area after the excavations in the 1920s. A Mimbres museum will strengthen and enhance the efforts of the other local museums, and will be a welcome addition to our community.

This is a unique opportunity to preserve and interpret the artifacts of a culture which, although vanished for some nine hundred years, continues to inspire us with its evocative creations. I urge your support of the Mimbres Museum Bill.

Joan M. Berry

SAWMILL SIDELINES
Box 47
Mimbres, New Mexico 88049

Shirley Franks Fowler

Phone: 1-(505) 536-9434

March 21, 88

Senator Bingaham
502 Hart Bldg.
Washington DC, 20510
Attn: Mitch Tachee

Dear Mitch,

I'm supporting the idea of a Mimbres Museum in Grant County and especially here on the Mimbres River, the home of the Mimbreno Indians.

Sincerely,
Shirley Franks Fowler

March 21,1988

Mitch Fuchel
Senator Bingaman
502 Hart Blvd.
Washington, D.C. 20510

Dear Mitch,

I am writing you in support of the philosophy of the Mimbres Museum in Grant County and specifically the Mimbres Valley. We very much need to preserve this culture and the wonderful artifacts.

Sincerely,

Beth Giraud

Beth Giraud
President- Mimbres Business Association
Rt. 11 Box 33
Mimbres, New Mexico 88049

BG/jg

RANCHES HOMES INSURANCE ACREAGE FARMS

GILA REALTY

GEORGE JACKSON, SR.
Qualifying Broker
Home Phone: 535-2361

Highway 180 East
Silver City, New Mexico 88061
Phone: 538-5679

March 21,1988

Mitch Fuchel
Senator Bingaman
502 Hart Blvd.
Washington, D.C. 20510

Dear Mr. Fuchel

I am writing you in support of the Mimbres Museum. I'm especially interested in the Museum being placed in the Mimbres Valley, since the contents of the Museum are from the Mimbres Area. I feel the Museum would be very beneficial to the Valley.

Sincerely,

Beth Giraud
Gila Realty
Rt. 11 Box 33
Mimbres, New Mexico 88049

BG/js

Mimbres Tradin' Post

Farm Bureau Insurance
FARM BUREAU INSURANCE
Beth Giraud

P.O. Box 9 - Mimbres, N.M. 88049
Phone: 534-9300

Rocks & Gifts
R.M. Daugherty

March 21, 1988

Mitch Fuchel
Senator Bingaman
502 Hart Blvd.
Washington, D.C. 20510

Dear Mr. Fuchel,

We are writing you in support of the Mimbres Museum in Grant County. We feel that it should be located in the Mimbres Valley. We also feel that we need to preserve the Mimbrano Culture.

Thank You,
the Daugherty's
Mitchell and Minnie Daugherty
Mimbres Tradin' Post
Rt. 11 Box 33
Mimbres, New Mexico 88049

BG/jg

RESOLUTION NO. 88-9

WHEREAS, the art work of the ancient Mimbreño culture has been recognized as a treasure and not only of importance to Grant County but also to the entire Nation; and

WHEREAS, the importance of the history of the Mimbreño culture is just beginning to be recognized but is in danger of being lost because of being very fragmanted; and

WHEREAS, Senator Bingaman has introduced legislation for the establishment of a Mimbres Museum; and

WHEREAS, Silver City is the major municipality in the center of a vast area once occupied by ancient cultures and therefore the logical point to locate the Mimbres Museum; and

WHEREAS, the establishment of the Mimbres Museum in the Silver City area would also benefit economic development and tourism;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF SILVER CITY, to support the establishment of the Mimbres Museum in the Silver City area.

PASSED, ADOPTED AND APPROVED this 21st day of March, 1988.

TOWN OF SILVER CITY

Mayor

SEAL

ATTEST:

City Clerk

P. O. Box 693
Santa Fe NM 87504-0693
Telephone 505-473-0612
March 31, 1988

Hon. Dale Bumpers, Chairman
Suite SD 360
Washington, D. C. 20510

Attention: Subcommittee on Public Lands, National Parks and Forest of the Senate Energy and Natural Resources Committee.

Dear Senator Bumpers:

Re: Senate Bill 1593
Historic Glorieta Battlefield

I wish to advise you, and also the members of your subcommittee, of my opposition to Senate Bill 1593, which would make a historic battlefield at Glorieta, New Mexico. I own approximately 30 acres of land in the area being considered, through my corporation, DEMCO, INC., of which I am the sole owner. I acquired this property for the purpose of building a home for my family. It is a nice piece of real estate, with a small stream running through the land. There aren't many places in New Mexico which have property with a real stream on it, and I thought it would really make a nice residence for my family.

I hope you and the members of the subcommittee will consider what this means to me (and other landowners, too) in respect to having a nice home there, or to the value of the land, and not vote for a recommendation to pass this Senate bill. Thank you for your consideration.

Respectfully yours,

DEMCO, INC.

J. Harmon Burttram, Jr.
President

JHB: